

Township of Little Egg Harbor, Ocean County

Master Plan Housing Element
and Fair Share Plan

Prepared For:

Mayor and Committee

And

Little Egg Harbor Township Planning Board

Township of Little Egg Harbor, New Jersey

Prepared By:



A handwritten signature in black ink that reads "David G. Roberts".

David G. Roberts, P.P., A.I.C.P.
New Jersey License No. 03081

A handwritten signature in black ink that reads "Amy Sarrinikolaou".

Amy Sarrinikolaou, P.P., AICP
New Jersey License No. 05965

Adopted by Resolution by the Little Egg Harbor Township Planning Board on: December 4, 2008

Endorsed by the Little Egg Harbor Township Committee on: December 11, 2008

The original of this master plan was signed and sealed in accordance with N.J.S.A. 45:14A-12.

Our Project Number 080391401

HONORABLE SCOTT STITES, MAYOR

TOWNSHIP COMMITTEE - 2008

Deputy Mayor John Kehm
Committeeman Arthur Midgley
Committeeman Ray Gormley
Committeeman Eugene Kobryn

**

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ENCLOSURE:

COAH Petition Application including:

- Planning Board Resolution Adopting the Housing Element and Fair Share Plan
- Governing Body Resolution Re-Petitioning the Housing Element and Fair Share Plan
- Governing Body Resolutions Requesting Review and Approval from COAH for the Draft Development Fee Ordinance and Draft Spending Plan
- Service List
- 1999 Little Egg Harbor Township Master Plan & 2007 Little Egg Harbor Township Master Plan Reexamination Report (submitted as part of the application, not on-file)
- Little Egg Harbor Township Land Development Ordinance (Chapter 15) and Municipal Tax Maps (submitted as part of the COAH application, not on-file)
- Worksheet A
- Supporting documentation for Park Plaza Apartments, Royal Timbers Apartments, & Harbor House Apartments
- Checklists: Seacrest Village II and Municipal Sponsored & 100% Affordable Project
- DRAFT Development Fee Ordinance and DRAFT Spending Plan

I. INTRODUCTION

Pursuant to the Municipal Land Use Law (40:55D-28.b(3)), a Master Plan may, where appropriate, contain a Housing Element. Pursuant to section 10 of P.L. 1985, c. 222 (C. 52:27D-310), a municipality's Housing Element shall be designed to achieve the goal of access to affordable housing to meet present and prospective housing needs, with particular attention to low and moderate income housing.

The Township Planning Board adopted a Master Plan Housing Element and Fair Share Plan on January 22, 2003 which addressed the Township's 12-year cumulative housing obligation covering the second housing round period from 1987 through 1999 as mandated by the New Jersey Council on Affordable Housing (COAH). The Township Committee endorsed the adopted plan and petitioned COAH for substantive certification. The petition was received by COAH on January 27, 2003 and COAH issued a favorable Compliance Report dated August 16, 2004 which led to the Township's second round interim substantive certification of September 8, 2004, valid for one year after the effective date of adoption of COAH's third round methodology and rules (December 20, 2004).

In response to the adoption of the Third Round substantive and procedural regulations of COAH, the Planning Board adopted an updated Master Plan Housing Element and Fair Share Plan on December 1, 2005. The Township Committee endorsed the Planning Board's Third Round Plan and forwarded it to COAH requesting their review and approval for Third Round substantive certification covering the cumulative period from 1987 through 2014.

Prior to COAH action on the Township's petition, COAH's third round regulations were challenged by various parties and they were invalidated, in part, by the Appellate Division in *In Re Adoption of N.J.A.C. 5:94 and 5:95* by the New Jersey Council on Affordable Housing, 390 N.J. Super. 1 (App. Div.), cert. denied. 192 N.J. 72 (2007). On May 6, 2008 COAH adopted revised Third Round regulations in response to the Appellate Division Decision, and became effective on June 2, 2008. Municipalities that are currently under COAH's jurisdiction, like Little Egg Harbor Township, have until December 31, 2008 to file a Revised Housing Element and Fair Share Plan with COAH or re-petition COAH with a Revised Housing Element and Fair Share Plan for substantive certification to remain under COAH's jurisdiction and retain protection from a builder's remedy suit.

This 2008 Housing Element and Fair Share Plan addresses Little Egg Harbor's Third Round housing obligation in accordance with the new regulations.

PLAN REQUIREMENTS

Pursuant to Section 10 of P.L. 1985, C. 222 (C:52:27D-310) a Housing Element must contain at least the following:

- a. An inventory of the municipality's housing stock by age, condition, purchase or rental value, occupancy characteristics, and type, including the number of units affordable to low and moderate income households and substandard housing capable of being rehabilitated;
- b. A projection of the municipality's housing stock, including the probable future construction of low and moderate income housing , for the next ten (10) years, taking into account , but not necessarily limited to, construction permits issued, approvals of applications for development, and probable residential development of lands;

- c. An analysis of the municipality's demographic characteristics, including, but not necessarily limited to, household size, income level, and age;
- d. An analysis of the existing and probable future employment characteristics of the municipality;
- e. A determination of the municipality's present and prospective fair share of low and moderate income housing and its capacity to accommodate its present and prospective housing needs, including its fair share of low and moderate income housing;
- f. A consideration of the lands most appropriate for construction of low and moderate income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, low and moderate income housing, including a consideration of lands of developers who have expressed a commitment to provide low and moderate income housing;

In addition to the requirements of the Municipal Land Use Law and Section 10 of P.L. 1985, C. 222 (C:52:27D-310), N.J.A.C. 5:97-2.3 requires that the Housing Element include the following:

- 1. The household projection for the municipality as provided in Appendix F;
- 2. The employment projection for the municipality as provided in Appendix F;
- 3. The municipality's prior round obligation (from Appendix C);
- 4. The municipality's rehabilitation share (from Appendix B);
- 5. The projected growth share in accordance with the procedures in N.J.A.C. 5:97-2.4; and
- 6. An inventory of all non-residential space by use group that was fully vacant as of the date of petition, to the extent feasible.

Supporting information to be submitted to COAH shall include:

- 1. A copy of the municipal master plan;
- 2. A copy of the most recently adopted municipal zoning ordinance; and
- 3. A copy of the most up-to-date tax maps of the municipality, electronic if available, with legible dimensions.

This 2008 Housing Element and Fair Share Plan replaces all previously adopted housing elements and fair share plans, and is hereby incorporated into the Township's comprehensive master plan as the official Housing Element.

II. HOUSING ELEMENT

The Housing Element provides an inventory of Little Egg Harbor Township's housing stock, and an analysis of the Township's demographic and employment characteristics.

DEMOGRAPHIC ANALYSIS

Population

The population of the Township has increased steadily since 1930, with the most dramatic increase between 1960 and 1970 wherein the population increased by 251 percent. The US Census prepares Annual Population Estimates and in April 2007, Little Egg Harbor Township had a total estimated population of 20,517 persons, which represents a 29 percent increase from the 2000 population figure of 15,945. As can be seen in the table below, the majority of the population (56.2 percent) are working-aged. The second largest age cohort is school-aged residents (20.3 percent), followed by retirement-aged residents (17.7 percent). The median age in the Township is 39.9 years, which is lower than the County (41.0 years) and the State (36.7 years) median ages.

Population Trends, 1930 to 2000

Year	Population	# Change	% Change
1930	547	--	--
1940	577	30	5
1950	644	67	12
1960	847	203	32
1970	2,972	2,125	251
1980	8,483	5,511	185
1990	13,333	4,850	57
2000	15,945	2,612	20
2007	20,517	4,572	29

Source: United States Bureau of the Census.

Population by Age in 2000

Age Cohort	#	%
Under 5 Years	931	5.8
5 to 19 Years	3,237	20.3
20 to 64 Years	8,956	56.2
65 Years and Over	2,821	17.7
TOTAL	15,945	100.0

Source: United States Bureau of the Census.

Median Age of Population in 2000

Little Egg Harbor Township	39.9
Ocean County	41.0
State of New Jersey	36.7

Source: United States Bureau of the Census.

Householders

The majority of households in the Township (71.9 percent) are considered family households. The remaining 28.1 percent of households are considered "non-family," that is, they consist of individual

or unrelated householders. There are a total of 6,179 households in the Township, and the majority (37.5 percent) are two-person households. The average household size is 2.55 persons.

Housing tenure does not seem to be correlated to household size, as the split between ownership and rentership is consistently 80/20. However, the lowest ownership rates occur in 3-person households. In terms of age and tenure, the majority of all households in each age cohort reside in owner-occupied dwellings. This is most likely in part due to a smaller percentage of units that are available for rent rather than for sale.

In terms of income, the majority of the households in the Township (23.8 percent) earn less than \$24,999 annually. This is consistent with County percentage of 25.1. The next largest percentage of households in the Township (13.6 percent) earn between \$75,000 and \$99,000 annually. This is also consistent with the County percentage of 12.5. Median income in the Township is \$45,628, and per capita income is \$20,619. These figures are comparable to those of the County at \$46,443 and \$23,054, respectively. Approximately 4.1 percent of the households in the Township receive Supplemental Security Income from the federal government, and 1.7 percent receive public assistance income. These percentages are consistent with those of the County at 2.9 percent and 1.9 percent, respectively. Approximately 6.5 percent of the population and 5.2 percent of all households live below the poverty level.

Households by Type and Household Size, 2000

	#	%
Family Households	4,442	71.9
Non-Family Households	1,737	28.1
TOTAL	6,179	100.0

Source: United States Bureau of the Census.

Household Size, 2000

	Households	Percent
1-Person	1,389	22.5
2-Person	2,320	37.5
3-Person	983	15.9
4-Person	902	14.6
5-Person	419	6.8
6-Person	104	1.7
7 or more Person	62	1.0
Average Household Size	2.55	

Source: United States Bureau of the Census.

Tenure by Household Size, 2000

Total Occupied Housing Units	Owner-Occupied		Renter-Occupied	
	#	%	#	%
1-person households	1,075	77.4	314	22.6
2-person households	1,991	85.8	329	14.2
3-person households	743	75.6	240	24.4
4-person households	730	80.9	172	19.1
5-person households	330	78.8	89	21.2
6-person households	83	79.8	21	20.2
7+ person households	50	80.6	12	19.4
Total	5,002	81.0	1,177	19.0

Source: United States Bureau of the Census.

Tenure by Age of Householder, 2000

Age of Householder	Total	Owner-Occupied		Renter-Occupied	
		#	%	#	%
15 to 24	157	51	32.5	106	67.1
25 to 34	770	484	62.9	286	37.1
35 to 44	1,369	1,083	79.1	286	20.9
45 to 54	1,155	969	83.9	186	16.1
55 to 64	1,000	882	88.2	118	11.8
65 to 74	971	868	89.4	103	10.6
75 to 84	637	568	89.2	69	10.8
85 and over	120	97	80.8	23	19.2

Source: United States Bureau of the Census.

**Household Income
Township and County, 2000**

	Township		County
	Households	Percent	Percent
\$0 to \$24,999	1,459	23.8	25.1
\$25,000 to \$29,999	357	5.8	6.0
\$30,000 to \$34,999	388	6.3	6.0
\$35,000 to \$39,999	402	6.5	5.9
\$40,000 to \$44,999	408	6.6	5.6
\$45,000 to \$49,999	392	6.4	5.0
\$50,000 to \$59,999	633	10.3	9.1
\$60,000 to \$74,999	767	12.5	11.6
\$75,000 to \$99,999	834	13.6	12.5
\$100,000 to \$199,999	433	7.1	11.5
\$200,000 or more	67	1.1	1.6
Total	6,140	100.0	100.0
Median Income	\$45,628		\$46,443
Per Capita Income	\$20,619		\$23,054

Source: United States Bureau of the Census.

Population Receiving Income Subsidies

	Township	% In Township	% In County
With Supplemental Security Income	251	4.1	2.9
Mean Supplemental Security Income	\$7,737	--	\$7,118
With public assistance Income	107	1.7	1.9
Mean Public Assistance Income	\$4,227	--	\$3,619

Source: United States Bureau of the Census.

Distribution of Persons and Households Below Poverty Level, 2000

Persons		Households	
#	%	#	%
1,028	6.5	321	5.2

Source: United States Bureau of the Census.

HOUSING INVENTORY

Number of Housing Units and Number of Units in Structure

The number of housing units in the Township has increased steadily since 1939. The most units were built between the 1980 to 1989 period, wherein 2,058 units, or 26.2 percent of the housing stock, were constructed. The median year of construction is 1978.

The majority of housing units (85.8 percent) in the Township are single-family detached units. There are lesser amounts of townhouse, apartment-style and mobile home units.

Number of Housing Units and Number of Units in Structure and Housing Units by Age

Built	Total Units	Percent
1990 to March 2000	1,147	17.8
1980 to 1989	2,058	26.2
1970 to 1979	1,974	24.8
1960 to 1969	1,938	24.3
1950 to 1959	328	4.1
1940 to 1949	23	0.3
1939 or earlier	199	2.5
Total	7,937	100.0
Median year structure built		1978

Source: United States Bureau of the Census.

Housing Units by Number of Units in Structure

Number of Units	Owner-Occupied	Rental	Vacant	Total	%
1, Detached	4,661	605	1,544	6,810	85.8
1, Attached	297	191	105	593	7.5
2	0	72	12	84	1.1
3 or 4	17	38	0	55	0.7
5 to 9	21	53	72	146	1.8
10 or more	5	215	19	239	3.0
Mobile Home/Trailer/Other	10	0	0	10	0.1
Total	5,011	1,174	1,752	7,937	100.0

Source: United States Bureau of the Census.

Analysis of Sub-Standard Housing

In the case of Little Egg Harbor, few units can be considered substandard or deficient. Housing quality sufficiency is generally evaluated by several indicators, as follows:

- Age. Units built before 1940 are considered to have a significant age factor. Only 2.5 percent of the Township's housing stock was built before 1940.
- Overcrowding. Units containing more than 1.0 persons per room are considered to be overcrowded. A small percentage (1.1 percent) of the units in the Township can be considered crowded.
- Plumbing facilities. Units lacking complete plumbing for exclusive use are considered deficient. No units in the Township lack complete plumbing.
- Kitchen facilities. Units lacking a sink with piped water, a stove and a refrigerator are considered deficient. A very small percentage (0.2 percent) of units lack complete kitchen facilities.
- Heating facilities. Units lacking central heat are considered deficient. Approximately 2.9 percent of units in the Township lack central heat. The majority of these units are most likely summer units that are not occupied on a full-time basis.

Additionally, the number of rooms in a unit and the unit's value are also indicators of quality. The majority of dwellings (34.2 percent) contain 5 more rooms. The mean number of rooms is 5.4. Less than 4 percent of dwellings contain 3 or fewer rooms.

Quality Indicators, Occupied Housing Stock, 2000

	Number of Units	Percent of Total Units
Total housing units	7,937	100.0
Built before 1940	199	2.5
Overcrowded	90	1.1
Lacking complete plumbing	0	0
Lacking complete kitchen facilities	15	0.2
Lacking central heating	229	2.9

Source: United States Bureau of the Census.

Housing Units by Number of Rooms, 2000

Rooms	Number of Units	Percentage of Total
1	16	0.2
2	28	0.3
3	250	3.1
4	1,188	15.0
5	2,708	34.2
6	1,586	20.0
7+	2,161	27.2
Total	7,937	100.0
Mean number of rooms	5.4	

Source: United States Bureau of the Census.

Housing Affordability Analysis

The basic measure of affordable housing used by COAH is that gross rent (including utilities) will represent no more than 30% of gross household income and that mortgage payments (including taxes, insurance, and homeowner's association fees) will represent no more than 28% of gross household income.

A low-income household is a household whose gross income is equal to or less than 50% of the median gross income for a household of the same size within the same housing region. A moderate-income household is a household whose gross income falls between 50% and 80% of the median household income within the same housing region. Little Egg Harbor Township is in Region 4, consisting of Mercer, Monmouth, and Ocean Counties. Using COAH's 2000 median income limit figure of \$64,505 for a four-person household in Region 4, the moderate-income household income limit was \$51,604 and \$32,253 for a low-income household of the same size.

The following is an inventory from the 2000 Census, of rental and housing units with gross rent or housing value indicated.

Housing Values, 2000

Owner-Occupied Units	Number	Percentage
Less than \$70,000	451	9.0
\$70,000 to \$79,999	662	13.2
\$80,000 to \$89,999	695	13.9
\$90,000 to \$99,999	798	16.0
\$100,000 to \$124,999	1,096	21.9
\$125,000 to \$149,999	578	11.6
\$150,000 to \$174,999	323	6.4
\$175,000 to \$199,999	146	2.9
\$200,000 to \$299,999	203	4.0
\$300,000 to \$499,999	59	1.1
\$500,000 or more	0	0.0
Total	5,011	100.0
2000 Median Value	\$98,800	

Source: United States Bureau of the Census.

Little Egg Harbor Township
Master Plan Housing Element and Fair Share Plan

Gross Rent, 2000

<u>Renter-Occupied Units</u>	<u>Number</u>	<u>Percentage</u>
Less than \$200	30	2.6
\$200 to \$299	40	3.4
\$300 to \$399	0	0
\$400 to \$499	15	1.3
\$500 to \$599	39	3.3
\$600 to \$699	105	9.0
\$700 to \$799	289	24.8
\$800 to \$899	322	27.6
\$900 to \$999	130	11.2
\$1,000 to \$1,999	173	14.8
\$2,000 or more	0	0.0
No cash rent	22	1.9
Total	1,165	100.0
Median Contract Rent	\$817	

Source: United States Bureau of the Census.

The following table illustrates the estimated number of rental and owner-occupied units located in Little Egg Harbor that were affordable to low- and moderate-income households (based on COAH's year 2000 income limits for a four-person household in Region 4). In 2000, 507, or 43.5% of all rental units were affordable to low-income households. Purchase prices were less affordable, with 717 of 5,011 housing units, or about 14.3% of housing units affordable to low-income households.

Four-person HH Income Category	Gross Annual Income Limit	Affordable Monthly Rent Limit	Affordable Rental Units Estimate (Census 2000)	Affordable Purchase Price¹	Affordable Ownership Units Estimate (Census 2000)
Median	\$64,505	\$1,613	1,046	\$154,430	4,337
Moderate	\$51,604	\$1,290	990	\$122,262	3,582
Low	\$32,253	\$806	507	\$74,011	717

Housing Occupancy Characteristics

The majority (77.9 percent) of units in the Township are occupied. Approximately 22 percent of housing units are vacant. Of the vacant units, the majority (77.6 percent) are considered seasonal or recreational. The rental vacancy rate is a typical 5 percent, and the homeowner vacancy rate is a low 2.7 percent. At the time of the 2000 Census, a significant 81.0 percent of the occupied units were owner-occupied and the remaining 19 percent were occupied by renters.

¹ Assumptions: 30-year fixed rate mortgage APR of 7.44 (1999 Freddie Mac annual average); local effective tax rate of \$2.83 per \$100; 5% down payment; PMI of 0.5%; \$60 monthly fees and insurance)

Housing Occupancy Characteristics, 2000

	#	%
Occupied Housing Units	6,179	77.9
Vacant Housing Units	1,752	22.1
Non-seasonal	392	22.4
Seasonal/Recreational	1,360	77.6
TOTAL	7,931	100.0
Homeowner Vacancy Rate		2.7%
Rental Vacancy Rate		5.0%

Source: United States Bureau of the Census.

Housing Tenure

	#	%
Occupied Housing Units	6,179	100.0
Owner-Occupied	5,002	81.0
Renter-Occupied	1,177	19.0

Source: United States Bureau of the Census.

EMPLOYMENT ANALYSIS

The US Census reports that 7,111 persons over the age of 16 in Little Egg Harbor Township were employed in 2000, out of a civilian labor force of 7,505 persons. The majority of people were employed in sales and office occupations, followed by management, professional and related occupations and service occupations. The majority of these jobs appears to be either part-time in nature or located outside of the Township, as the 1998 covered employment count for the Township was 1,222. It is not anticipated that job creation in the Township will increase significantly over the next six years as the Township has not historically been an employment center.

Employment Characteristics, 2000

	Number	Percent
EMPLOYMENT STATUS		
Population 16 years and over	12,538	100.0
In labor force	7,505	59.9
Civilian labor force	7,505	59.9
Employed	7,111	56.7
Unemployed	394	3.1
Percent of civilian labor force	5.2	--
Armed Forces	0	0.0
Not in labor force	5,033	40.1
OCCUPATION		
Employed civilian population 16 years and over	7,111	100.0
Management, professional, and related occupations	1,875	26.4
Service occupations	1,571	22.1
Sales and office occupations	1,985	27.9
Farming, fishing, and forestry occupations	26	0.4
Construction, extraction, and maintenance occupations	943	13.3
Production, transportation, and material moving occupations	711	10.0
INDUSTRY		
Agriculture, forestry, fishing and hunting, and mining	66	0.9
Construction	542	7.6
Manufacturing	378	5.3
Wholesale trade	223	3.1
Retail trade	971	13.7
Transportation and warehousing, and utilities	460	6.5
Information	199	2.8
Finance, insurance, real estate, and rental and leasing	329	4.6
Professional, scientific, management, administrative, and waste management services	471	6.6
Educational, health and social services	1,395	19.6
Arts, entertainment, recreation, accommodation and food services	1,259	17.7
Other services (except public administration)	432	6.1
Public administration	386	5.4
CLASS OF WORKER		
Private wage and salary workers	5,594	78.7
Government workers	1,077	15.1
Self-employed workers in own not incorporated business	432	6.1
Unpaid family workers	8	0.1
MEDIAN EARNINGS		
Male full-time, year-round workers	\$39,668	--
Female full-time, year-round workers	\$29,576	--

Source: United States Bureau of the Census.

Jobs in Township Covered by Unemployment Insurance, 1998

	Average Number
Private sector	595
Government	627
Total	1,222

Source: New Jersey Department of Labor

Employment Outlook

The New Jersey Transportation Planning Authority (NJTPA) has completed employment projections for 2005 – 2030 for Little Egg Harbor Township. NJTPA projects that the number of jobs in Little Egg Harbor Township will increase by 1,690 jobs from 2,150 jobs in 2005 to 3,840 jobs in 2030.

FAIR SHARE OBLIGATION

This section includes a determination of the Township's present and prospective fair share for low and moderate income housing, and with that, an analysis of how the Township will accommodate its fair share.

Rehabilitation Share

The rehabilitation share is the number of existing housing units in a municipality as of April 1, 2000 that are both deficient and occupied by households of low or moderate income. As indicated in N.J.A.C. 5:97-1 et seq. Appendix B, Little Egg Harbor's rehabilitation share is 0 units.

Prior Round Obligation

As indicated in N.J.A.C. 5:97-1 et seq. Appendix C, the prior round housing obligation for Little Egg Harbor is 194 units.

Growth Share Obligation

The growth share obligation is initially calculated based on projections. The projections are based on New Jersey Department of Labor and Workforce Development county projections, which are allocated to the municipal level based on historical trends for each municipality and the extent to which each municipality approaches its physical growth capacity. The projections of household and employment growth are converted into projected growth share affordable housing obligations by applying a ratio of one (1) affordable unit among five (5) residential units projected, plus one (1) affordable unit for every 16 newly created jobs projected. Based on the household and employment projections for Little Egg Harbor indicated in the table COAH prepared entitled "Total Projected Growth Share, proposed 6/16/08", and before accounting for exclusions as per NJAC 5:97-2.5, the Township's projected growth share obligation is 342 affordable units.

**COAH 2004-2018 Projections and Growth Share Obligation,
Little Egg Harbor Township (Ocean County)**

COAH 2004-2018 Projections	Ratio	Growth Share Obligation (in affordable units)
1,118 units	1 affordable unit per 5 residential units	223.6
1,901 jobs	1 affordable unit per 16 jobs	118.8
Total		342

Source: COAH's table entitled "Rehabilitation Share, Prior Round Obligation & Growth Projections based on amendments to NJAC 5:97 adopted September 22, 2008."

Little Egg Harbor may subtract exclusions under NJAC 5:97-2.4(a)1 and NJAC 5:97-2.4(b)1 from their household and employment projections. See the enclosures for this calculation. There are no exclusions permitted, and the Township's growth share remains at 342 units.

Analysis of Existing Conditions

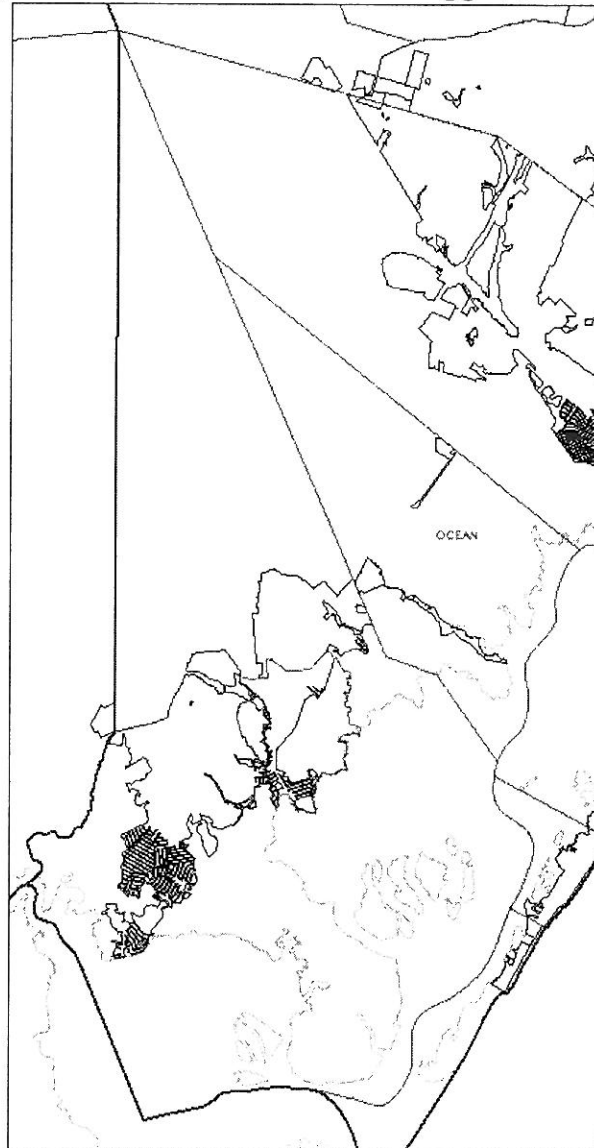
The Township's existing and future conditions in terms of infrastructure, land uses, economic development policies, and environmental constraints must be considered first as a basis for the Township's plan to accommodate its fair share.

Infrastructure

The Little Egg Harbor Municipal Utilities Authority (LEHMUA) is responsible for the water and sewer services for the entire municipality. The MUA owns, operates and maintains a sewage collection system which ultimately discharges to the Ocean County Utilities Authority (OCUA) Southern Regional Sewer Treatment plan in Stafford. The plant design capacity is 20 million gallons per day (mgd). Projected wastewater flow is not expected to exceed the 20-mgd plant capacity.

The existing active sewer service areas are illustrated in the image below. The existing SSA are comprised of developed areas in the Township including Mystic Island, West Tuckerton, and Parkertown. Most homes and businesses in these areas are connected to the sewer system.

Existing Sewer Service Areas in Little Egg Harbor Township



Source: NJDEP

Land Uses

The stated purpose of the 1999 Land Use Plan is, "... to serve as a guide for the Township's land use (zoning) decisions". Adoption of the 1999 Land Use Plan established eleven Land Use Categories as follows:

- Preservation Residential
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Multifamily Residential
- Commercial/Business

- Light Industry
- Parks/Recreation
- Public Lands
- Planned Adult Community
- Waterfront Development

With the adoption of the 1999 Master Plan, Little Egg initiated a comprehensive update of its Land Use and Zoning Regulations. Changes to the zoning map and ordinance were adopted to reduce the permitted residential densities throughout the Township, especially in areas outside of sewer service areas and outside of Designated Centers.

The 1999 Land Use Plan map was subsequently amended in 2001 after a review by the New Jersey Office of State Planning (NJOSP)² of the Township's petition for "center designations". Based on a recommendation by the New Jersey Office of State Planning (OSP), the area located east of the Garden State Parkway and Thomas Avenue was re-designated from LI "Light Industrial" to "Low Density Residential" (2-5 acres/DU), a re-designation largely due to the fact that this area was outside of the approved sewer service area and was inaccessible by improved roads. The land in question has been re-zoned into the R-3A and R-5A Zones in accordance with the amended land use plan.

In 2000, the State Planning Commission adopted three "center designations" in Little Egg Harbor Township to accommodate centers-based development and redevelopment, including the Tuckerton Town Center, Mystic Island Town Center, and the Parkertown Village Center. State-designated Town Centers are primarily intended to serve as traditional centers of commerce and services that also contain diverse residential neighborhoods and housing types, whereas a Village Center is a compact primarily residential community with a small commercial core that offers limited services.

Little Egg Harbor is currently engaged in the Plan Endorsement process in coordination with Tuckerton Borough to retain the Township's three centers. The Township began the plan endorsement process in June 2007.

Economic Development Policy

The Economic Plan of the Township's 1999 Master Plan indicates that the critical economic issue facing the Township is not a lack of employment opportunities, but rather the creation of ratable development to support municipal services. Ratable strategies identified in the 1999 Economic Plan include:

- Ecotourism
- Seaport Related Businesses
- Atlantic City Casino Back Office Development
- Assisted living, Senior Housing & Senior Healthcare Facilities
- Cost Sharing with Adjacent Municipalities (shared services)
- Business Development Study Group

² NJOSP has since been re-named New Jersey Office of Smart Growth (NJOSG)

Environmental Constraints

The Township's Environmental Commission, with funding from the Association of New Jersey Environmental Commissions (ANJEC), is currently in the process of preparing a Natural Resource Inventory (NRI) for the entire Township. The NRI will provide an objective summary and inventory of the town's natural resources including wetlands, streams, groundwater recharge areas, wellhead protection areas, and threatened and endangered species habitat. Linked with the plan endorsement process, the Township intends to direct growth to the centers while preserve the areas outside the centers.

FAIR SHARE PLAN

The following provides a plan indicating how the Township will meet its fair share obligation.

Rehabilitation Share

Although the Township's rehabilitation share is zero (0) units, Little Egg Harbor participates in the Ocean County CDBG Housing Rehabilitation Program. The purpose of the CDBG Housing Rehabilitation Program is to bring dwellings, including owner-occupied and rental units, up to local and state building codes. All funding under this program is in the form of a ten-year deferred loan. Since April 1, 2000, four units have been rehabilitated in the Township, at an average cost of \$15,187 per unit. The information in the table below is the information provided to the Township from the County. The Township intends to remain a participant in the County's program.

**Number of Units Rehabilitated Under Ocean County Housing Program in
Little Egg Harbor Township (Ocean County) since April 1, 2000**

<u>Street Address</u>	<u>Year</u>	<u>Amount</u>
Goldfarb	2007	\$ 10,650.00
Pearsall	2008	\$ 22,700.00
Doughty	2008	\$ 14,900.00
Williams	2008	\$ 12,500.00
Total: 4 units		\$ 60,750.00

Prior Round Obligation

The following provides narratives of projects that will be used to satisfy the Township's 194-unit prior round obligation.

Prior Cycle Credits

The Township is requesting 50 affordable housing credits for the age-restricted Park Plaza Apartment complex located at 105 Mathistown Road (Block 285, Lot 13) that, according to Township records, received its Certificate of Occupancy on March 28, 1984 (see enclosures). This complex is restricted to income-eligible senior citizens. Construction of this complex was financed with a federal Section 221 (Section 221 (d)(3) and (4) of the National Housing Act), 40-year mortgage which restricts occupancy to low- and moderate-income households. According to HUD's records, the first mortgage payment was made on September 1, 1984, and the mortgage will mature in 2024. This complex is also currently under contract with HUD for 50 Section 8 vouchers that are used for all of

the complex's units. The complex's current Section 8 contract with HUD was begun on March 28, 1984 and will expire on March 27, 2004. The Section 8 contracts generally run in 5-year increments and are renewable.

Harbor House Apartments

Harbor House (Block 285, Lot 5) received its Certificates of Occupancy in Spring 1990. Harbor House offers 36 affordable family-rental units to income-eligible households, and is not restricted to occupation by either seniors or the disabled. The construction of Harbor House was financed through the U.S. Department of Agriculture's Farm Home Program, which offered low- or no-interest mortgages with terms of 50 years to housing developments serving very low- to moderate-income households. According to the USDA (see letter dated September 17, 2002 enclosed), the Harbor House's USDA mortgage is dated January 26, 1990, and therefore matures in 2040. Affordability controls will be in place until 2040. The Township requests 36 affordable housing credits and 36 bonus credits pursuant to NJAC 5:97-3.5(a).

Royal Timbers

Royal Timbers (Block 285, Lot 11) is a 104-unit apartment complex that is located on Center Street. The first Certificate of Occupancy for the Royal Timbers complex was issued on July 1, 1997, and the final Certificate of Occupancy was issued on October 30, 1998. The construction of Royal Timbers was financed via a Low Income Housing Tax Credit (LIHTC) that was delivered through the New Jersey Housing and Mortgage Finance Agency (HMFA). The LIHTC requires 15-year low- to moderate-income affordability controls that are generally carried for a total of 30 years. All 104 units in Royal Timbers are restricted to households at or below 60 percent of the median Ocean County income level. The complex is not age-restricted. The Township requests 104 affordable housing credits.

Seacrest Village-An Assisted Living Community

Mystic Partners L.P. received preliminary and final approval in 2007 for the development of a two-story 62,000 square foot assisted living facility on a 9.84 acre tract situated on the west side of Mathistown Road and approximately 1,300 feet north of Center Street. The Project, known as Block 325, Lot 7.05, is located in the General Business and Planned Retirement Community Zones, and the Town Center and Planning Area 2. The applicant received NJDEP/CAFRA approval, and approval for the proposed Wetlands Fill and Transition Area Averaging Plan. The site will be accessed from Mathistown Road and Mystic Shores Boulevard. The project consists of 64 apartments including 48 one-bedroom apartments, and 16 2-bedroom apartments. This project is eligible for 80 assisted living bedroom credits. The Township also requests 18 bonus credits worth 1.33 bonus credits each to be applied in the prior round.

**

A summary of the Township's prior round obligation is presented in the table below. The following parameters are applicable to the Township's prior round obligation:

**Parameters for Prior Round Obligation
Little Egg Harbor Township (Ocean County)**

	Required (affordable units)	<i>Proposed</i>
Prior Round Obligation	194	194
Min. Rental Requirement	36	102
Max. Rental Bonus	36	36
Max. Age-Restricted	36	36
Max. Age-Restricted Rental Bonus	18	18

**Satisfaction of Prior Round Obligation
Little Egg Harbor Township (Ocean County)**

Project: Name	Total Project Units and Type	Credits Requested	Total Credits Requested (including bonuses)	Citation for Bonus
Park Plaza Apartments	Prior Cycle Credits	50	50	-
Harbor House Apartments	36 affordable family rentals	36	72	NJAC 5:97-3.5(a)
Royal Timbers	104 affordable family rentals	30	30	-
Approved Assisted Living Facility (Seacrest)	48 units - 1 bedroom apartments and 16 - 2 bedroom apartments	-	-	-
<i>Units</i>		18	18	-
<i>Units eligible for bonus</i>		18	24	NJAC 5:97-3.5(b)
Total			194	

NOTES:

Royal Timbers - 74 family rentals carried forward

Approved Assisted Living Facility (Seacrest) – 44 bedrooms carried forward

Growth Share Obligation

The following provides narratives of projects that will be used to satisfy the Township's 342-unit Growth Share Obligation.

Royal Timbers

See description above. A surplus of 74 affordable family rentals are carried forward to satisfy the growth share obligation including 74 bonus credits pursuant to NJAC 5:97-3.6(a).

Municipally Sponsored and 100% Affordable Project

The Township proposes to use its municipally-owned lot known as Block 287, Lot 4 and located on Route 9 in the Town Center, Planning Area 2, and Existing Sewer Service Area, as a potential location for a 100% affordable housing project that would consist of 104 non-age restricted rentals including very-low income housing units to satisfy the Township's very low income requirement in the third round. Currently, the site contains a gun range facility, and the Township is actively in the process of negotiating a new location for the facility so that the lot may become available to construct the affordable housing project. Little Egg Harbor will work with a non-profit or for-profit developer to build a 100% non-age-restricted affordable rental project on the five acre parcel. The site has access to public sewer and water and is free of any environmental constraints. In December 2007, the site was rezoned to Multi-Family to allow for the construction of affordable rentals at 20 DU / acre yielding 100 family affordable rental units. Based on the Township's growth share obligation, the zoning may need to be amended to allow for 104 units to satisfy the remainder of the Township's obligation or 21 DU / acre. The Township requests 104 affordable housing credits, including 11 rental bonuses and 35 very low income bonuses.

Seacrest Village-An Assisted Living Community

See description above. A surplus of 44 assisted living bedrooms are carried forward to satisfy the growth share obligation.

A summary of the Township's growth share obligation is presented in the table below. The following parameters are applicable to the Township's prior round obligation:

**Parameters for Growth Share Obligation
Little Egg Harbor Township (Ocean County)**

	Required (affordable units)	Proposed, (affordable units)
Growth Share Obligation	342	342
Min. Family Housing Requirement	171	178
Min. Rental Requirement	86	187
Min. Family Rental Units	43	143
Max. Rental Bonus	25% of the growth share once the rental requirement is met= 85 unit cap	-
Max. Age-Restricted	86	44
Min. Very Low-Income	45	45

**Satisfaction of Growth Share Obligation
Little Egg Harbor Township (Ocean County)**

Project: Name	Total Project Units and Type	Credits Requested	Total Credits Requested (including bonuses)	Citation for Bonus
Royal Timbers	104 affordable family rentals	74	148	NJAC 5:97-3.6(a)
100% Affordable Project on Municipal-owned Lot (Block 287, Lot 4)	104 units-family rentals, incl. 45 very-lows			-
<i>Units</i>		48	48	-
<i>Units eligible for bonuses</i>		11	22	NJAC 5:97-3.6(a)
<i>Very low income units</i>		10	10	
<i>Very low income units eligible for bonus</i>		35	70	NJAC 5:97-3.7
Approved Assisted Living Facility (Seacrest)	48 units - 1 bedroom apartments and 16 - 2 bedroom apartments	44	44	-
Total			342	

It should be noted that the Township will continue to seek all development projects occurring in the Township that would be creditable pursuant to COAH's rules.

ENCLOSURE: STATE OF NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS COUNCIL ON
AFFORDABLE HOUSING PETITION APPLICATION

RESOLUTION NO. 2008 – 241

**RESOLUTION OF THE TOWNSHIP OF LITTLE EGG
HARBOR, COUNTY OF OCEAN, STATE OF NEW
JERSEY REQUESTING REVIEW AND APPROVAL OF
A MUNICIPAL AFFORDABLE HOUSING TRUST FUND
SPENDING PLAN**

WHEREAS, the Governing body of Little Egg Harbor, Ocean County will petition the Council on Affordable Housing (COAH) for substantive certification by December 31, 2008; and

WHEREAS, Little Egg Harbor requested review and approval from COAH on December 11, 2008 of its development fee ordinance; and

WHEREAS, the development fee ordinance establishes an affordable housing trust fund that includes development fees, payments from developers in lieu of constructing affordable units on-site, barrier free escrow funds, rental income, repayments from affordable housing program loans, recapture funds, and proceeds from the sale of affordable units.

WHEREAS, N.J.A.C. 5:97-8.1(d) requires a municipality with an affordable housing trust fund to receive approval of a spending plan from COAH prior to spending any of the funds in its housing trust fund; and

WHEREAS, N.J.A.C. 5:97-8.10 requires a spending plan to include the following:

1. A projection of revenues anticipated from imposing fees on development, based on pending, approved and anticipated developments and historic development activity; and
2. A projection of revenues anticipated from other sources, including payments in lieu of constructing affordable units on sites zoned for affordable housing, funds from the sale of units with extinguished controls, proceeds from the sale of affordable units, rental income, repayments from affordable housing program loans, and interest earned; and
3. A description of the administrative mechanism that the municipality will use to collect and distribute revenues; and

4. A description of the anticipated use of all affordable housing trust funds pursuant to N.J.A.C. 5:97-8.7, 8.8 and 8.9; and
5. A schedule for the expenditure of all affordable housing trust funds; and
6. If applicable, a schedule for the creation or rehabilitation of housing units; and
7. A pro-forma statement of the anticipated costs and revenues associated with the development if the municipality envisions supporting or sponsoring public sector or non-profit construction of housing; and
8. A plan to spend the trust fund balance as of July 17, 2008 within four years of the Council's approval of the spending plan, or in accordance with an implementation schedule approved by the Council; and
9. A plan to spend and/or contractually commit all development fees and any payments in lieu of construction within three years of the end of the calendar year in which funds are collected, but no later than the end of third round substantive certification period; and
10. The manner through which the municipality will address any expected or unexpected shortfall if the anticipated revenues from development fees are not sufficient to implement the plan; and
11. A description of the anticipated use of excess affordable housing trust funds, in the event more funds than anticipated are collected, or projected funds exceed the amount necessary for satisfying the municipal affordable housing obligation.

WHEREAS, Little Egg Harbor has prepared a spending plan consistent with N.J.A.C. 5:97-8.10 and P.L. 2008, c.46.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of Little Egg Harbor, Ocean County requests that COAH review and approve Little Egg Harbor's spending plan.

CERTIFICATION

I, **DIANA K. MCCRACKEN**, Municipal Clerk of Little Egg Harbor, do hereby certify that the foregoing resolution was duly adopted by the Little Egg Harbor Township Committee at a meeting held on the 11th day of **December, 2008**.


DIANA K. MCCRACKEN, RMC
Township Clerk

RESOLUTION NO. 2008 – 240

**RESOLUTION OF THE TOWNSHIP OF LITTLE EGG
HARBOR, COUNTY OF OCEAN, STATE OF NEW
JERSEY REQUESTING REVIEW AND APPROVAL OF
DEVELOPMENT FEE ORDINANCE**

WHEREAS, the Governing body of Little Egg Harbor, Ocean County will petition the Council on Affordable Housing (COAH) for substantive certification by December 31, 2008; and

WHEREAS, P.L.2008, c.46 section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), permits municipalities that are under the jurisdiction of COAH or of a court of competent jurisdiction and that have a COAH-approved spending plan to impose and retain fees on residential and non-residential development; and

WHEREAS, subject to P.L.2008, c.46 section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), N.J.A.C. 5:97-8.3 permits a municipality to prepare and submit a development fee ordinance for review and approval by the Council on Affordable Housing (COAH) that is accompanied by and includes the following:

1. A description of the types of developments that will be subject to fees per N.J.A.C. 5:97-8.3(c) and (d);
2. A description of the types of developments that are exempted per N.J.A.C. 5:97-8.3(e);
3. A description of the amount and nature of the fees imposed per N.J.A.C. 5:97-8.3 (c) and (d);
4. A description of collection procedures per N.J.A.C. 5:97-8.3(f);
5. A description of development fee appeals per N.J.A.C. 5:97-8.3 (g); and
6. A provision authorizing COAH to direct trust funds in case of non-compliance per N.J.A.C. 5:97-8.3(h).

WHEREAS, Little Egg Harbor has prepared a draft development fee ordinance that establishes standards for the collection, maintenance, and expenditure of development fees consistent with COAH's regulations at N.J.A.C. 5:97-8 and in accordance with P.L.2008, c.46, Sections 8 (C. 52:27D-329.2) and 32-38 (C. 40:55D-8.1 through 8.7).

NOW, THEREFORE, BE IT RESOLVED, that the governing body of Little Egg Harbor, Ocean County requests that COAH review and approve Little Egg Harbor's development fee ordinance.

CERTIFICATION

I, **DIANA K. MCCRACKEN**, Municipal Clerk of Little Egg Harbor, do hereby certify that the foregoing resolution was duly adopted by the Little Egg Harbor Township Committee at a meeting held on the 11th day of **December, 2008**.


DIANA K. MCCRACKEN, RMC
Township Clerk

RESOLUTION NO. 2008 – 239

**RESOLUTION OF THE TOWNSHIP OF LITTLE EGG
HARBOR, COUNTY OF OCEAN, STATE OF NEW
JERSEY RE-PETITIONING WITH REVISED HOUSING
ELEMENT AND FAIR SHARE PLAN**

WHEREAS, the Planning Board of Little Egg Harbor Township, Ocean County, State of New Jersey, adopted a revised Housing Element and Fair Share Plan on December 4, 2008; and

WHEREAS, a true copy of the resolution of the Planning Board adopting the amended Housing Element and Fair Share Plan is attached pursuant to N.J.A.C. 5:96-2.2(a)2.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of Little Egg Harbor Township, Ocean County, State of New Jersey, hereby endorses the revised Housing Element and Fair Share Plan as adopted by the Little Egg Harbor Township Planning Board; and

BE IT FURTHER RESOLVED, that the Governing Body of Little Egg Harbor Township, pursuant to the provision of N.J.S.A. 52:27D-301, *et seq.* and N.J.A.C. 5:96-3.4, submits this re-petition for substantive certification of the revised Housing Element and Fair Share Plan to the Council on Affordable Housing for review and certification; and

BE IT FURTHER RESOLVED, that all objectors and owners of sites in the Housing Element and Fair Share Plan have received notice of the re-petition; and

BE IT FURTHER RESOLVED, that notice of this re-petition for substantive certification shall be published in a newspaper of countywide circulation pursuant to N.J.A.C. 5:96-3.5 within seven (7) days of issuance of the notification letter from the Executive Director of the Council on Affordable Housing indicating that the submission is complete and

that a copy of this resolution, the adopted revised Housing Element and Fair Share Plan and all supporting documentation shall be made available for public inspection at the Little Egg Harbor Township Municipal Clerk's office located at 665 Radio Road, during the hours of 8:30 a.m. to 4:30 p.m. on Monday through Friday for a period of 45 days following the date of publication of the legal notice pursuant to N.J.A.C. 5:96-3.5.

CERTIFICATION

I, **DIANA K. MCCRACKEN**, Municipal Clerk of Little Egg Harbor, do hereby certify that the foregoing resolution was duly adopted by the Little Egg Harbor Township Committee at a meeting held on the 11th day of **December, 2008**.


DIANA K. MCCRACKEN, RMC
Township Clerk

Planning Board Resolution Adopting the Housing Element and Fair Share Plan

WHEREAS, the Planning Board of Little Egg Harbor Township, Ocean County, State of New Jersey, adopted its current Master Plan Reexamination Report pursuant to N.J.S.A. 40:55D-28 in 2007; and

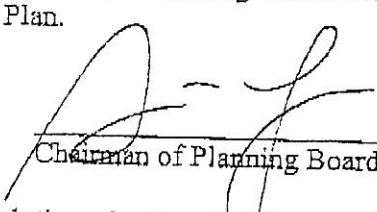
WHEREAS, the Little Egg Harbor Township Planning Board prepared a Housing Element pursuant to N.J.S.A. 40:55D-28b(3); and

WHEREAS, N.J.A.C. 5:96-2.2(a) requires the adoption of the Housing Element and Fair Share Plan by the Planning Board and endorsement by the Governing Body; and

WHEREAS, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Planning Board of Little Egg Harbor Township held a public hearing on the Housing Element and Fair Share Plan on December 4, 2008; and

WHEREAS, the Planning Board has determined that the Housing Element and Fair Share Plan are consistent with the goals and objectives of the Little Egg Harbor Township 2007 Master Plan Reexamination Report and that adoption and implementation of the Housing Element and Fair Share Plan are in the public interest and protect public health and safety and promote the general welfare.

NOW THEREFORE BE IT RESOLVED by the Planning Board of Little Egg Harbor Township, Ocean County, State of New Jersey, that the Planning Board hereby adopts the December 2008 Housing Element and Fair Share Plan.


Chairman of Planning Board

I hereby certify that this is a true copy of the resolution adopting the Housing Element and Fair Share Plan of Little Egg Harbor Township, Ocean County, on 12-4-08.



Planning Board Secretary

Workbook A: Growth Share Determination Using Published Data

(Using Appendix F(2), *Allocating Growth To Municipalities*)

COAH Growth Projections

Must be used in all submissions

Municipality Name:

Little Egg Harbor

Enter the COAH generated growth projections from Appendix F(2) found at the back of N.J.A.C. 5:97-1 et seq. on Line 1 of this worksheet. Use the Tab at the bottom of this page to toggle to the exclusions portion of this worksheet. After entering all relevant exclusions, toggle back to this page to view the growth share obligation that has been calculated. Use these figures in the Application for Substantive Certification.

	Residential	Non-Residential
1 Enter Growth Projections From Appendix F(2) *	1,118	1,901
2 Subtract the following Residential Exclusions pursuant to 5:97-2.4(a) from "Exclusions" tab	Click Here to enter Prior Round Exclusions	
COs for prior round affordable units built or projected to be built post 1/1/04	0	
Inclusionary Development	0	
Supportive/Special Needs Housing	0	
Accessory Apartments	0	
Municipally Sponsored or 100% Affordable	0	
Assisted Living	0	
Other	0	
Market Units in Prior Round Inclusionary development built post 1/1/04	0	
3 Subtract the following Non-Residential Exclusions (5:97-2.4(b))		
Affordable units	0	
Associated Jobs		0
4 Net Growth Projection	1,118	1,901
5 Projected Growth Share (Conversion to Affordable Units Dividing Households by 5 and Jobs by 16)	223.60 Affordable Units	118.81 Affordable Units
6 Total Projected Growth Share Obligation		342 Affordable Units

* For residential growth, see Appendix F(2), Figure A.1, Housing Units by Municipality. For non-residential growth, see Appendix F(2), Figure A.2, Employment by Municipality.

Affordable and Market-Rate Units Excluded from Growth

Municipality Name: **Little Egg Harbor**

Prior Round Affordable Units NOT included in Inclusionary Developments Built post 1/1/04

Development Type	Number of COs Issued and/or Projected
Supportive/Special Needs Housing	
Accessory Apartments	
Municipally Sponsored and 100% Affordable	
Assisted Living	
Other	
Total	0

Market and Affordable Units in Prior Round Inclusionary Development

Built post 1/1/04

N.J.A.C. 5:97-2.4(a)

(Enter Y for yes in Rental column if rental units resulted from N.J.A.C. 5:93-5.15(c)5 incentives)

Development Name	Rentals? (Y/N)	Total Units	Market Units	Affordable Units	Market Units Excluded
		0			0
		0			0
		0			0
		0			0
		0			0
Total		0	0	0	0

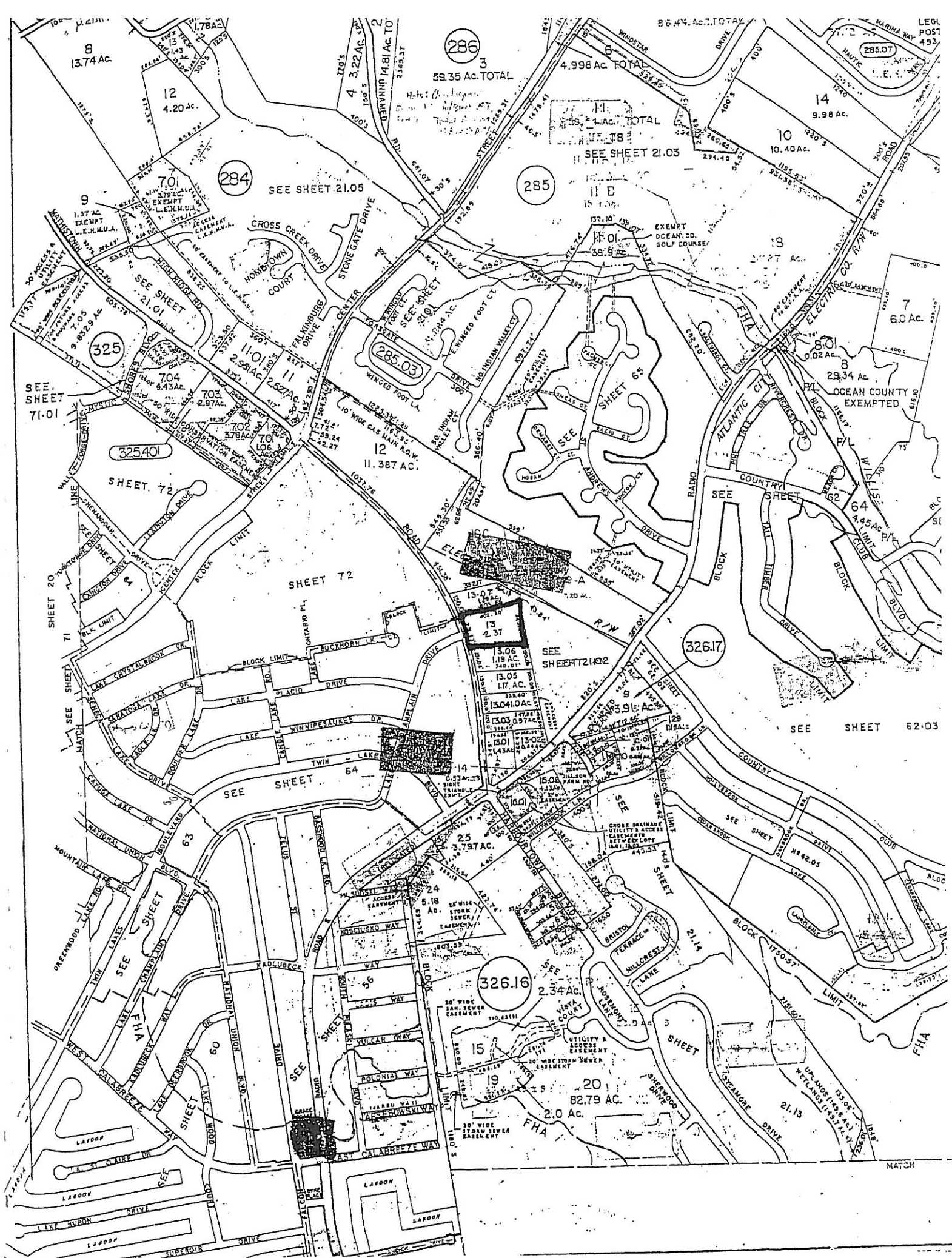
Jobs and Affordable Units Built as a result of post 1/1/04 Non-Residential Development

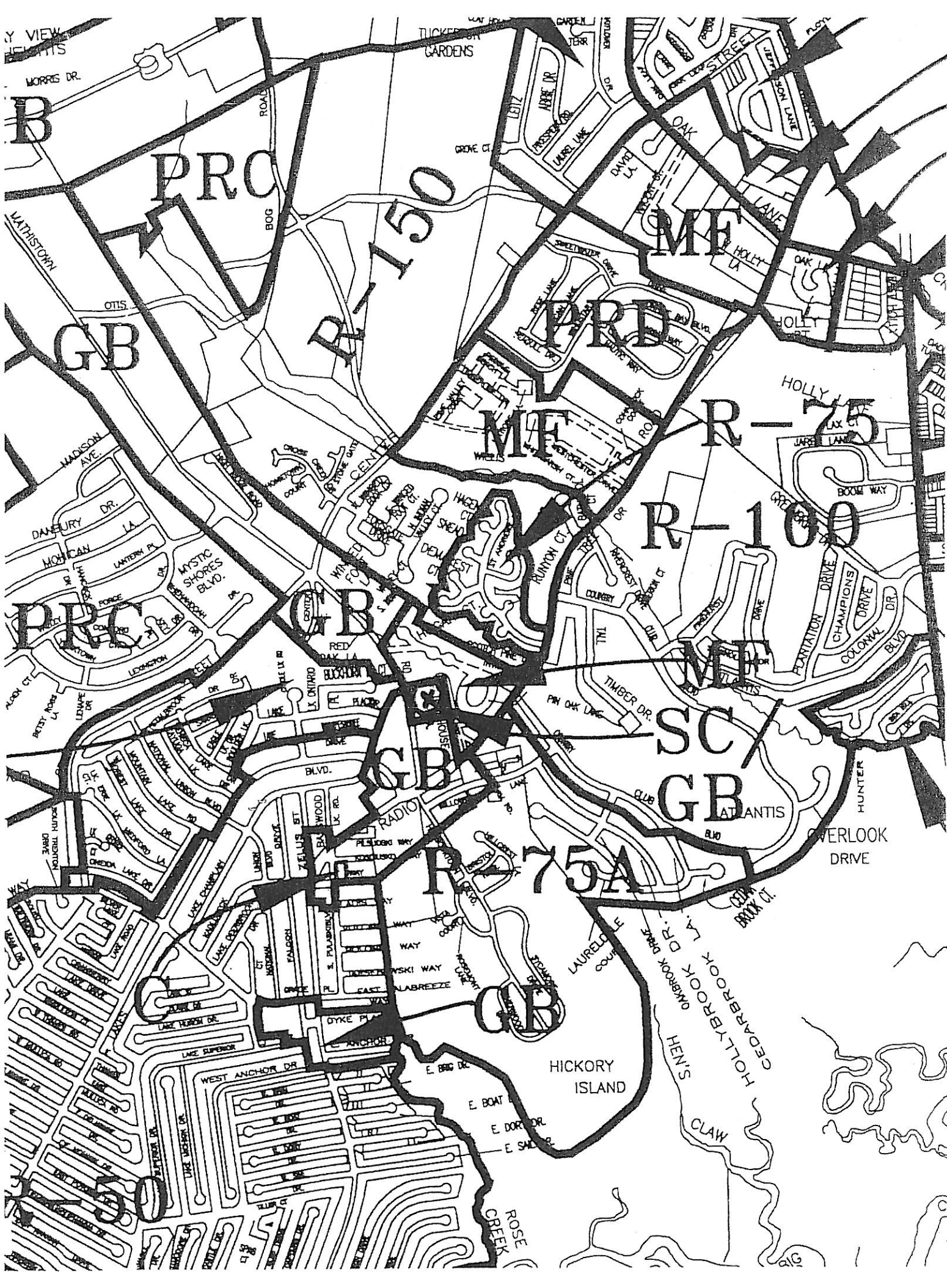
N.J.A.C. 5:97-2.4(b)

Development Name	Affordable Units Provided	Permitted Jobs Exclusion
		0
		0
		0
		0
Total	0	0

[Return To Workbook A Summary](#)

Park Plaza Apartments (Block 285, Lot 13)





TOWNSHIP OF LITTLE EGG HARBOR
WEST TUCKERTON, N.J. 03087
PHONE: (609) 296-7241

CERTIFICATE ISSUED
DATE 12-28-84

BUILDING PERMIT CERTIFICATE OF OCCUPANCY

APPLICANT: Michaels Dave. Co. DATE: Nov. 10 1982 ADDRESS: 10 Grove St. CHERRY HILL, N.J. 08011

(CONTR.'S (LICENSE)

PERMIT TO: Construct 51 STORY Apartments NUMBER OF DWELLING UNITS: 7381

AT (LOCATION) 13 (NO.) Bathingym Rd. ZONING DISTRICT: S.O.C.D.

BETWEEN (CROSS STREET) AND (CROSS STREET)

SUBDIVISION: Mystic Island LOT 13 BLOCK 255 LOT SIZE

58'33" FT. WIDE BY 166'33" FT. LONG BY 35' FT. IN HEIGHT AND SHALL CONFORM IN CONSTRUCTION

TO TYPE: USE GROUP: BASEMENT WALLS OR FOUNDATION

51 Unit Park Plaza Apartments

1984

Park Plaza Apartments HUD Database Information:

HUD Section 221(d)(3) and (3) Mortgage Site Information

Property ID#:	800014347
Total Unit Count:	51
Property category name:	Insured-Subsidized
Primary financing type:	Insured
Associated financing number:	03535082
Ownership effective date:	4/18/80
Owner participant ID:	10373
Owner company type:	Limited Dividend
Owner organization name:	LEH Dev. Co. T/a Park Plaza
Owner address:	One Stow Road, P.O. Box 994E, Marlton, NJ 08053
Owner main phone #:	609-596-0500
Management agent participant ID:	10420
Management agent:	Interstate Realty Management Co. One East Stow Road, Marlton, NJ 08053-0994
Management agent main phone:	856-596-0500
Management agent main fax:	856-596-6093
HUD Project #:	03535082
Initial endorsement:	3/3/82
Final endorsement:	4/17/85
Original mortgage amount:	\$2,398,800
First payment date:	9/1/84
Maturity date:	8/1/2024

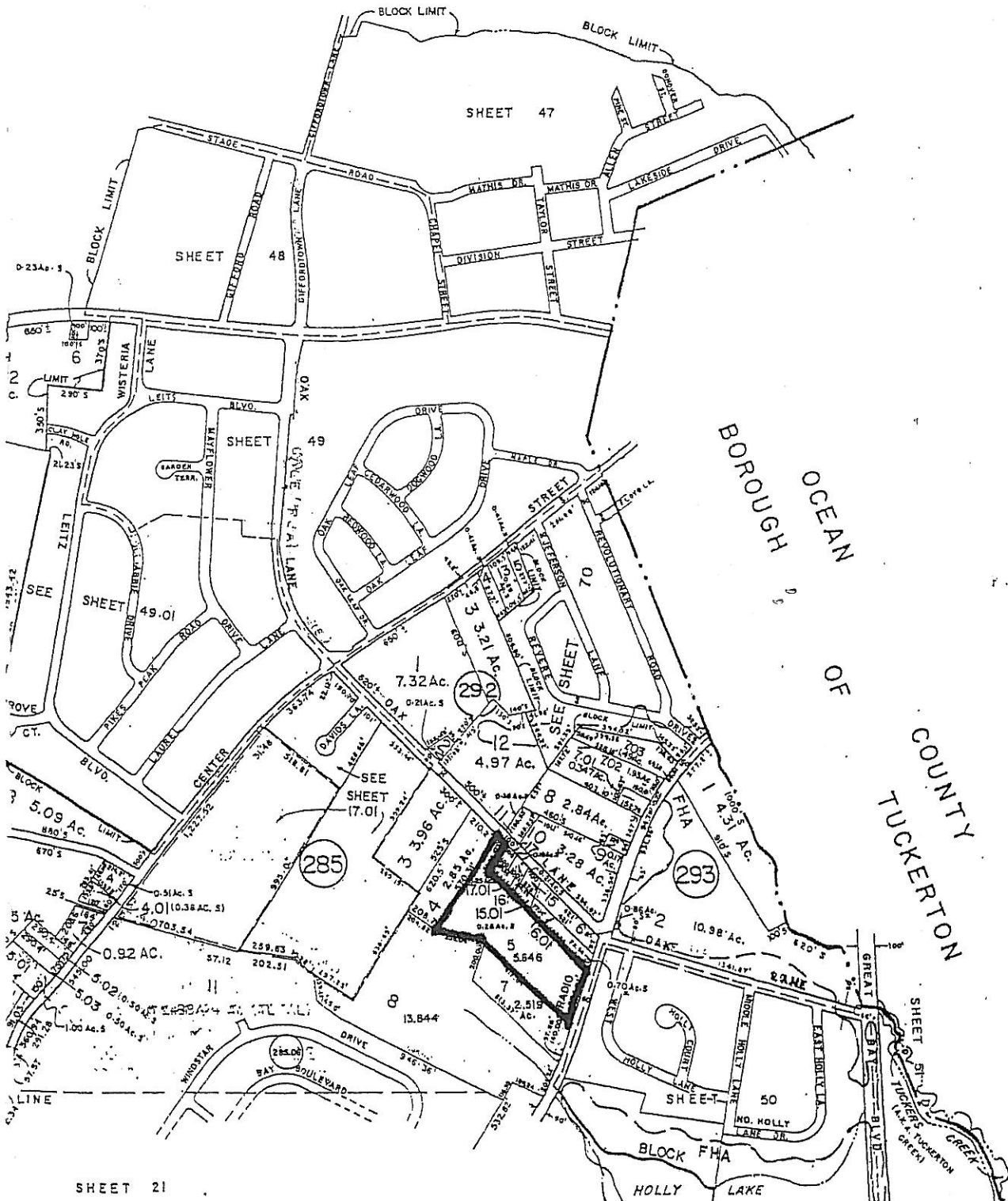
Source: From HUD website database at <http://www.hud.gov/offices/hsg/mfh/exp/mfhdiscl.cfm>

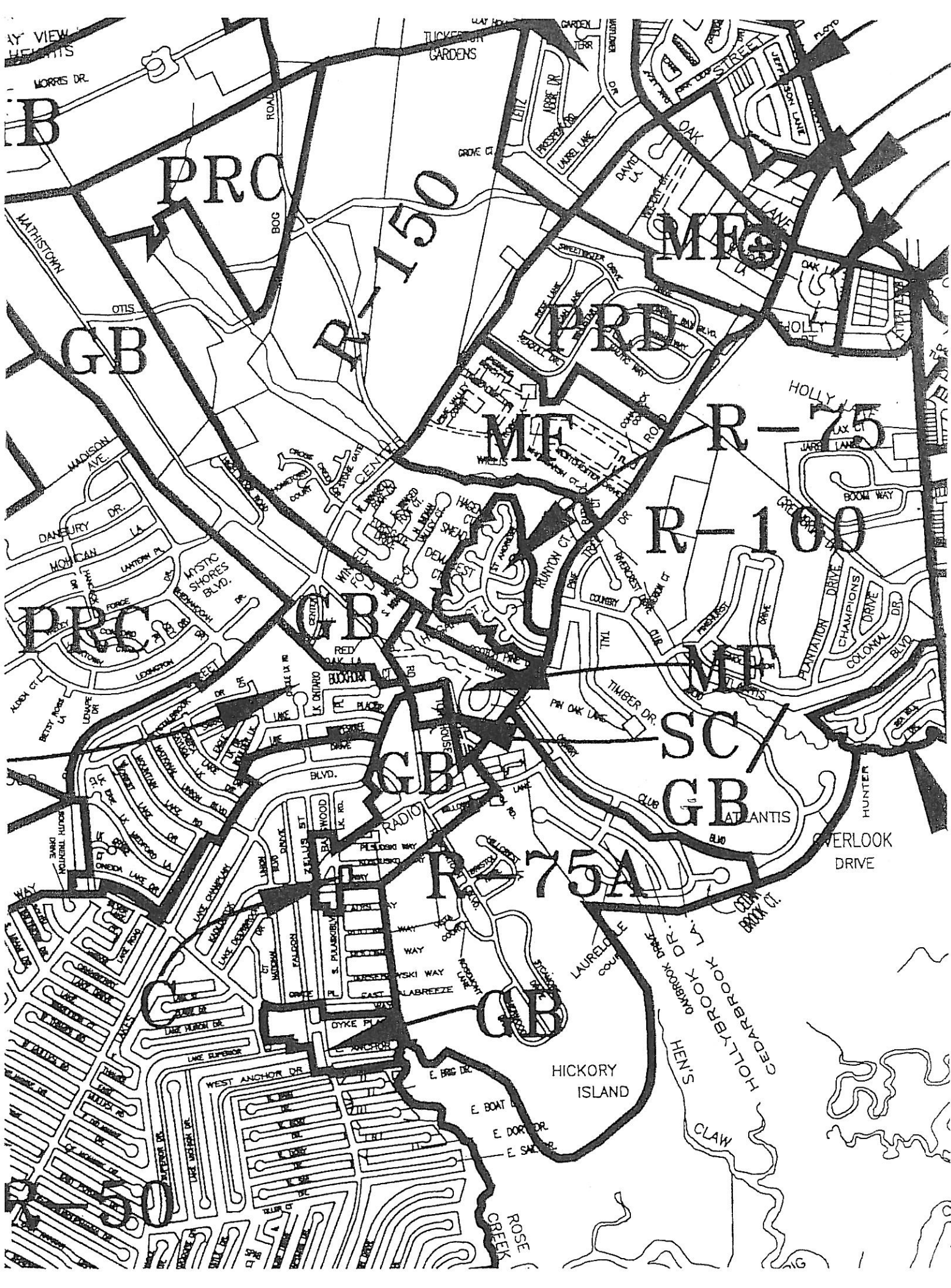
HUD Section 8 Site Information

Section 8 Contract #:	NJ160024002
Effective date:	3/28/84
Expiration date:	3/27/04
# assisted units:	50, 1-bedroom
% of Fair Market Rent:	Between 121 and 130% FMR
Fair Market Rent per unit:	\$771.00

Source: From HUD website database at <http://www.hud.gov/offices/hsg/mfh/exp/mfhdiscl.cfm>

Harbor House Apartments (Block 285, Lot 5)







United States
Department of
Agriculture

Rural Development
5th Floor North, Suite 500
8000 Midlantic Drive
Mount Laurel, NJ 08054

(TEL) 856-787-7740
(FAX) 856-787-7737
(TDD) 856-787-7784

September 17, 2002

Schoor DePalma, Inc.
Justin Corporate Center
200 State Highway Nine
P.O. Box 900
Manalapan, NJ 07726-0900
ATTN: Cheryl Bergailo

RE: Harbor House Apartments
320 Radio Road, Block 285 Lot 5
Little Egg Harbor Township, Ocean County, New Jersey

Dear Ms. Bergailo:

We have received your letter dated September 5, 2002, regarding the above subject project.

The following is the information you requested:

1. The number of units - 36 units
2. The units are very low to moderate income.
*** This project has tax credits, which may require stricter
income guidelines****
3. This project is family designated and there are no restrictions to occupation by
either senior or disabled households.
4. These units are for rent only.
5. The project was financed under USDA, Rural Development formerly known as
Farmers Home Administration.

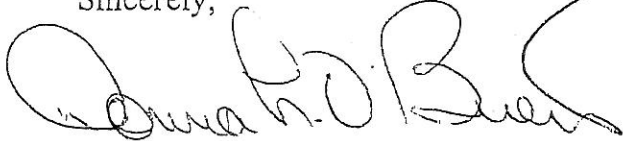
USDA RURAL DEVELOPMENT IS AN EQUAL OPPORTUNITY LENDER, PROVIDER, AND EMPLOYER.
COMPLAINTS OF DISCRIMINATION SHOULD BE SENT TO:
USDA, DIRECTOR, OFFICE OF CIVIL RIGHTS, WASHINGTON, DC 20250-9410

Page Two
Schoor DePalma, Inc.
September 17, 2002

6. The Real Estate Mortgage is dated 01/26/90 and the term is for 50 years.

If you have any questions with regard to this matter, please contact the office
at 856-787-7740.

Sincerely,

A handwritten signature in cursive script, appearing to read "Donna L. O'Brien", with a long, sweeping flourish extending to the right.

DONNA L. O'BRIEN
Multi-Family Housing Servicing Specialist



CERTIFICATE

Block	Lot
Subdivision	A 12

IDENTIFICATION

Owner	Harbor House Assoc.	Agent	Dunmore Const,
Address	66 S. County Line Rd.	Address	Easton, Pa.
	Souderton, Pa. 18964		
Tel. (215)	721-4886	Tel. (215)	252-1671
Work Site Address	Radio Rd.	Lic. No.	
		Federal Emp. No.	

PAYMENTS

CERTIFICATE OF OCCUPANCY/APPROVAL

A. ☒ CERTIFICATE OF OCCUPANCY ~~Certificate~~ CERTIFICATE OF APPROVAL

This serves notice that said building, structure, or equipment has been constructed or installed in accordance with the New Jersey Uniform Construction Code, and is approved for use and/or occupancy.

Spring 1990

B. ☐ CERTIFICATE OF CONTINUED OCCUPANCY

This serves notice that based on a general inspection of the visible parts of the building there are no imminent hazards and the building is approved for continued occupancy.

C. ☐ TEMPORARY CERTIFICATE OF OCCUPANCY

If this is a Temporary Certificate of Occupancy the following conditions must be met no later than _____, 19____ or the owner will be subject to a fine or order to vacate:

D. DESCRIPTION OF WORK:

New Single Family Home

1 Unit of 12

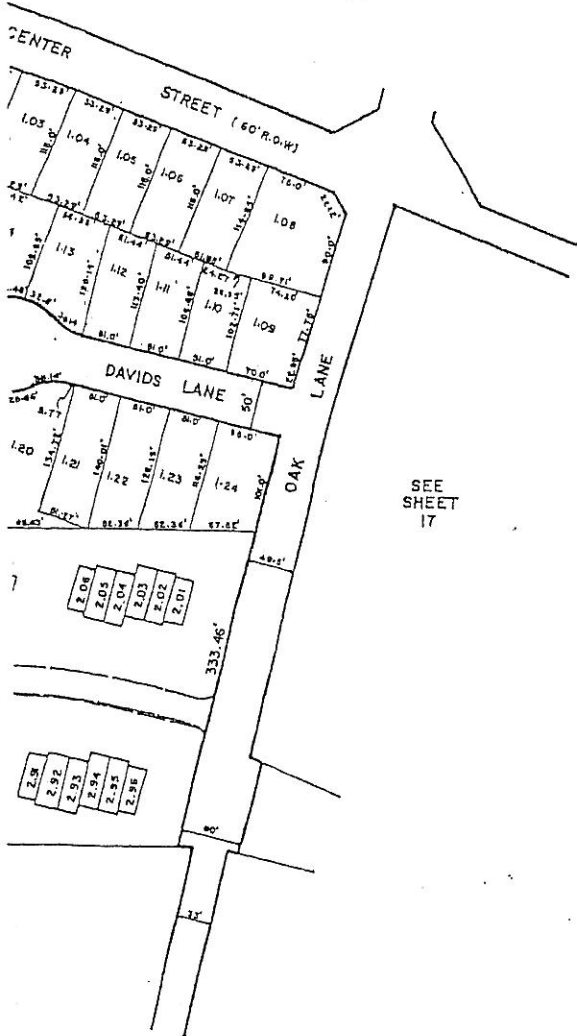
USE GROUP	R 2	FIRE GRADING	1 1/2 hr.
MAXIMUM LIVE LOAD	20	MAXIMUM OCCUPANCY LOAD	10
SPECIFIC USE	Single Family apartment		

FINAL COST OF CONSTRUCTION: \$

Kirk E. Heinicke
CONSTRUCTION OFFICIAL

Royal Timbers Apartments (Block 285, Lot 11)

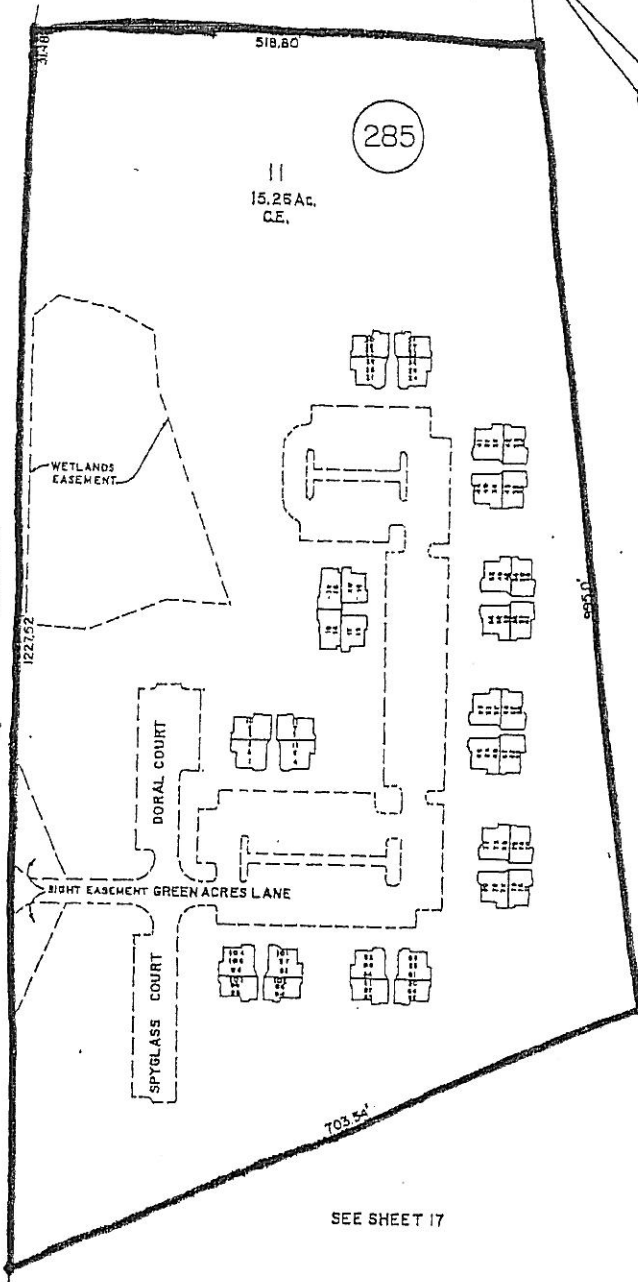
SEE SHEET 17



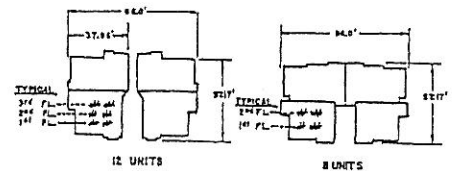
SEE SHEET 17

CENTER STREET

46.5'

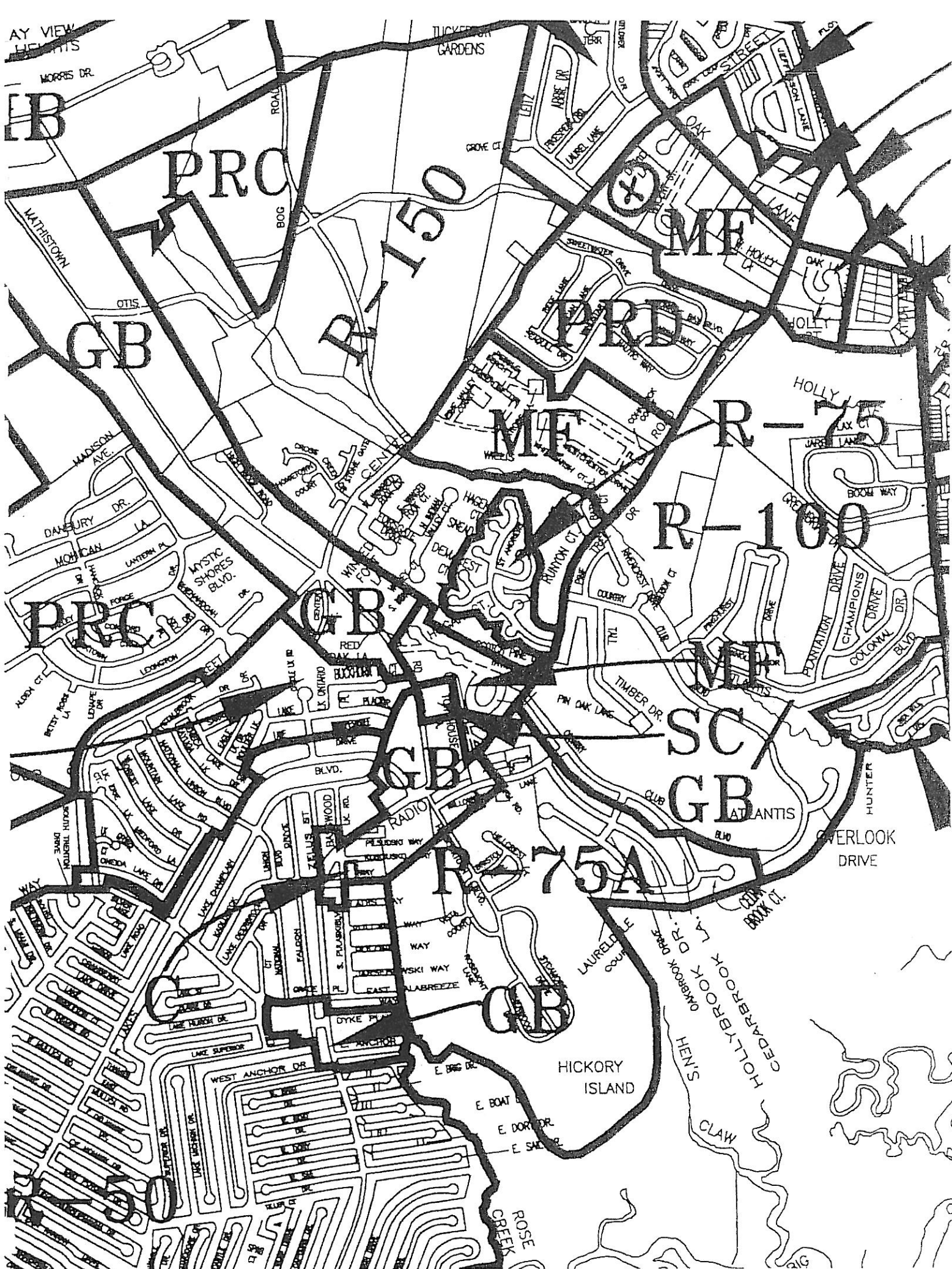


SEE SHEET 17



TYPICAL UNIT LAYOUT
N.T.S.

TAX MAP
 TOWNSHIP OF LITTLE EGG HARBOR
 OCEAN COUNTY, NEW JERSEY
 SCALE: 1" = 100'
 OCTOBER 1988
 CHARLES W. THOMAS, P.L.S. No. 27495
 SCHOOR, DePALMA & CANGER GROUP, INC.



First-CO

7/1/97

Date Issued
Control #
Permit # 96-278



CERTIFICATE

IDENTIFICATION

Block 285 Lot 11, Qualifier #c0094
Work Site Location 1107 Wild Oaks Court
Little Egg Harbor, N. J. 08087
Owner in Fee Century Pacific
Address 1925 Century Park East 1760
L.A. Ca. 900671
Tele. (310) 208-1888
Contractor Radnor Highland Builders, Inc.
Address 539 Ford Street
W. Conshohocken, Pa., 19428
Tele. (610) 825-5811
Lic. No. or Bldrs. Reg. No. _____
Federal Emp. No. 23-2770-883
or Social Security No. _____

Home Warranty No. _____
Type of Warranty Plan: [] State [] Private
Use Group R-2
Maximum Live Load 20
Construction Classification _____
Maximum Occupancy Load 10
Description of Work/Use: _____

New Single Family Condo

XXX CERTIFICATE OF OCCUPANCY

This serves notice that said building or structure has been constructed in accordance with the New Jersey Uniform Construction Code and is approved for occupancy.

☐ CERTIFICATE OF APPROVAL

This serves notice that the work completed has been constructed or installed in accordance with the New Jersey Uniform Construction Code and is approved. If the permit was issued for minor work, this certificate was based upon what was visible at the time of inspection.

☐ TEMPORARY CERTIFICATE OF OCCUPANCY/COMPLIANCE

If this is a temporary Certificate of Occupancy or Compliance the following conditions must be met no later than _____, 19____ or the owner will be subject to fine or order to vacate:

☐ CERTIFICATE OF CONTINUED OCCUPANCY

This serves notice that based on a general inspection of the visible parts of the building there are no imminent hazards and the building is approved for continued occupancy.

☐ CERTIFICATE OF COMPLIANCE

This serves notice that said potentially hazardous equipment has been installed and/or maintained in accordance with the New Jersey Uniform Construction Code and is approved for use until _____.

Fee \$ 42.00
Paid [] Check No. 1214
Collected by: N.D.

Robert E. Hamilton
CONSTRUCTION OFFICIAL

Last CO



Date Issued 10-30-98
Control #
Permit # 97-766

CERTIFICATE

IDENTIFICATION

Block 285 Lot 11-C0013
Work Site Location 1111 WILD OAKS COURT
LITTLE EGGS HARBOR NJ
Owner in Fee ROYAL TIMBERS ASSOCIATES
Address 500 W. KENNEDY BLVD
LAKEWOOD NJ 08701
Tele. (132) 361-0129
Contractor BADNOR HIGHWAY BUILDERS
Address 539 FORD STREET
W. CONSHOHOCKEN PA 19438
Tele. (610) 825-5811
Lic. No. or Bldrs. Reg. No. 23-2770-383
Federal Emp. No. _____
or Social Security No. _____

☒ CERTIFICATE OF OCCUPANCY

This serves notice that said building or structure has been constructed in accordance with the New Jersey Uniform Construction Code and is approved for occupancy.

☐ CERTIFICATE OF APPROVAL

This serves notice that the work completed has been constructed or installed in accordance with the New Jersey Uniform Construction Code and is approved. If the permit was issued for minor work, this certificate was based upon what was visible at the time of inspection.

☐ TEMPORARY CERTIFICATE OF OCCUPANCY/COMPLIANCE

If this is a temporary Certificate of Occupancy or Compliance the following conditions must be met no later than _____, 19____ or the owner will be subject to fine or order to vacate:

[Signature]
CONSTRUCTION OFFICIAL

Home Warranty No. _____
Type of Warranty Plan: [] State [] Private
Use Group R-2
Maximum Live Load _____
Construction Classification _____
Maximum Occupancy Load _____
Description of Work/Use: _____

SINGLE FAMILY APARTMENT
IN A MULTIFAMILY DWELLING

☐ CERTIFICATE OF CONTINUED OCCUPANCY

This serves notice that based on a general inspection of the visible parts of the building there are no imminent hazards and the building is approved for continued occupancy.

☐ CERTIFICATE OF COMPLIANCE

This serves notice that said potentially hazardous equipment has been installed and/or maintained in accordance with the New Jersey Uniform Construction Code and is approved for use until _____.

Fee \$ _____
Paid [] Check No. _____
Collected by: _____

1994 LOW INCOME HOUSING TAX CREDIT PROGRAM
ALLOTTED PROJECTS - AS OF DECEMBER 31, 1994

Source: NJ Housing and Mortgage Finance Agency

REVISED - October 5, 2001

LITC #	PROJECT	DEVELOPER	# OF BLDGS.	LO IN. UNITS	TOTAL UNITS	CREDIT TYPE	HSG. TYPE	AMOUNT ALLOCATED	PIS DATE	8609 ISSUED	AMOUNT
89	EBON Square 753-759 Clinton Avenue Newark, NJ 07108 Essex County	American Ebon, LP c/o American Affordable Hsg Group 2 Greentree Centre, Ste.222 Marlton, NJ 08053 Attn: James Wagner P: (609) 596-2011	1	49	49	R	F	\$205,437	1/1/1996	10/6/1998	\$205,437
289	Clinton Park Clinton Avenue Trenton, NJ 08609 Mercer County	Clinton Park Associates, LP 128 North Pitt Street Alexandria, VA 22314 Attn: Joseph Resende P: (703) 838-8700 ext.11	8	26	26	R	F	\$237,495	12/31/1996	3/30/1998	\$237,495
298	Wood Street Housing 221,223,225 Academy Street 10 Wood Street 114 North Montgomery Street 20,22,24,26,28,30,32 Wood St. 2,4 Shepards Alley 229 Academy Street Trenton, NJ 08608 Mercer County	Wood St. Hsg. Partnership, LP c/o Sandler Securities, Inc. 653 Skippack Pike, Suite 132 Blue Bell, PA 19422	15	46	46	A/R NC	F	\$427,723	12/30/94 (1st 5 bldgs.) 6/15/95 (last 10 bldgs.)	12/30/94 12/29/95	\$236,437 \$178,361
314	Hill Manor Apts. 611 Martin Luther King, Jr. Blvd. Newark, NJ 07102 Essex County	American Comm. Hsg. Assoc., Inc. 20 S. Clark St., Ste. 820 Chicago, IL 60603	1	x	x	R	F	\$881,511	RETURNED 11/8/96		
328	King's Way Apartments One Lore Drive Swedesboro, NJ 08085 Gloucester County	Swedesboro Hsg. LP 100 Middle Street Portland, ME 04101 Attn: Marcia Brown	3	36	36	NC	S	\$64,242	7/1/95	12/29/95	\$64,242
*339	Mott School Project 680 Center Street Trenton, NJ 08611	Lutheran Social Ministries of NJ 120 Rt. 156 Yardville, NJ 08620	1	22	22	R	F	\$129,473	11/8/94	12/30/94	\$129,473

358	Mercer County 81 Godwin Avenue Paterson, NJ 07501 Passaic County	Attn: Rev. G. Stanley Steele G3 Properties Inc. 720 Broadway Paterson, NJ 07514 Attn: Gerard Graddy	1	3	3	A/R	F	\$10,441	9/29/94	12/30/94	\$10,441
359	The Apts. at Park Pointe West New York Apts. 6601-6607 Park Avenue West New York, NJ 07093 Hudson County	The Ingerman Group 725 Cuthbert Blvd. Cherry Hill, NJ 08002 Attn: Brad Ingerman	1	60	60	NC	F	\$854,283	6/1/95	11/21/95	\$854,283
*362	Second Westfield Sr. Cit. Housing Program 1133 Boynton Avenue Westfield, NJ 07090 Union County	Second Westfield Senior Cit. Urban Renewal Partnership, LP 1133 Boynton Avenue Westfield, NJ 07090 Attn: Ruth Smith	1	130	130	NC	S	\$978,386	10/19/95	2/14/97	\$978,386
*363	Dumont Sr. Housing Project 94-95 Schraalenburgh Way Dumont, NJ 07628 Bergen County	Dumont Senior Housing LP Glenpointe Centre East - Mezzanine 300 Frank W. Burr Blvd, P.O. Box 309 Teaneck, NJ 07666-0309 Attn: Eugene Walsh P: (201) 836-4500	2	40	40	NC	S	\$519,153	4/6/95	1/12/96	\$512,039

= Non-Profit

ASSISTED LIVING RESIDENCE (N.J.A.C. 5:97-6.11)

(Submit separate checklist for each site or project)

General Description

Municipality/County: Enter Municipality and County Name Little Egg Harbor, Ocean
Project or Program Name: Enter Project or Program Name "Seacrest Village - An Assisted Living Community"
Block(s) and Lot(s): Block 325, Lot 7.05
Date facility will be constructed or placed into service: TBD - rec'd final approval 2007
Total units proposed 64 apartments (48 1-BR, 16 2-BR)
Market-rate units: _____
Affordable units/bedrooms: 80
Number restricted for Medicaid waivers: 80

Bonuses, if applicable:

Prior Round Rental bonuses as per N.J.A.C. 5:97-3.5 \$18 x 1.23

Compliance bonuses as per N.J.A.C. 5:97-3.17: N/A

Date zoning adopted: GB Zone Date Development approvals granted: 2007

Information and Documentation Required with Petition

- ☐ Completed Assisted Living survey form (If project was previously reported in 2007 monitoring and/or subsequent CTM update, also check here ☐ in lieu of submitting forms.)

A general description of the site, including:

- ☒ Name and address of owner
☒ Subject property address
☒ Subject property block(s) and lot(s)
☒ Subject property total acreage
☒ Description of previous zoning
☒ Current zoning and date current zoning was adopted
☒ Tax maps showing the location of site with legible dimensions (electronic if available)

A description of the suitability of the site, including:

- ☒ Description of surrounding land uses

- ☒ Demonstration that the site has street access
- ☒ Planning Area and/or Special Resource Area designation(s) e.g., PA1, PA2, PA3, PA4, PA5, CAFRA, Pinelands, Highlands, Meadowlands, etc., including a discussion on consistency with the State Development and Redevelopment Plan (SDRP) and/or other applicable special resource area master plans
- ☒ Demonstration that there is or will be adequate water capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4
- ☒ Demonstration that there is or will be adequate sewer capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4

A description (including maps if applicable) of any anticipated impacts that result from the following environmental constraints:

- ☒ Wetlands and buffers - The project rec'd NJDEP/CAFRA approval
- ☐ Steep slopes N/A for Wetlands Fill & Transition Area Averaging Plan.
- ☐ Flood plain areas N/A
- ☐ Stream classification and buffers N/A
- ☐ Critical environmental site N/A
- ☐ Historic or architecturally important site/district N/A
- ☐ Contaminated site(s); proposed or designated brownfield site N/A
- ☐ Based on the above, a quantification of buildable and non-buildable acreage
- ☐ RFP or Developer's Agreement N/A - Rec'd approval
- ☐ Construction schedule and timetable for each step in the development process
- ☐ Pro-forma statement for the project
- ☐ Documentation of funding sources
- ☐ Municipal resolution appropriating funds from general revenue or a resolution of intent to bond in the event of a funding shortfall

Information and Documentation Required Prior to Marketing the Completed Units or Facility

- ☐ Resolution or executed contract designating an experienced Administrative Agent, and a statement of his/her qualifications, in accordance with N.J.A.C. 5:96-18
- ☐ A draft or adopted operating manual that includes a description of the program procedures and administration in accordance with UHAC
- ☐ An affirmative marketing plan in accordance with UHAC if the units are not restricted to recipients of Medicaid waivers
- ☐ Check here if the affirmative marketing plan and resolution/contract with an Administrative Agent is being replaced with an executed Memorandum of Understanding with the New Jersey Housing and Mortgage Finance Agency (HMFA)

Assisted Living Narrative Section

see page 17. of the report

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**MUNICIPALLY SPONSORED AND 100 PERCENT AFFORDABLE
DEVELOPMENTS (N.J.A.C. 5:97-6.7)**

(Submit separate checklist for each site or project)

General Description

Municipality/County: Enter Municipality and County Name *Little Egg Harbor, Ocean*
Project Name: Enter Project or Program Name *Muni - Sponsored 100% Affordable Project*
Block(s) and Lot(s): B287, 4
Affordable Units Proposed: 104
Family: 104 - 104 Sale: _____ Rental: 104 *104 of which*
Very low-income units: 45 Sale: _____ Rental: 45
Age-Restricted: 0 Sale: _____ Rental: _____

Bonuses, if applicable:

Rental bonuses as per N.J.A.C. 5:97-3.5: 7

Rental bonuses as per N.J.A.C. 5:97-3.6(a): 11

Very low income bonuses as per N.J.A.C. 5:97-3.7¹: 35

Smart Growth Bonus as per N.J.A.C. 5:97-3.18: —

Compliance Bonus as per N.J.A.C. 5:97-3.17: —

Date zoning adopted: Dec 2007 - rezoned Multi-Family Date development approvals granted: —

Required Information and Documentation with Petition or in Accordance with an

Implementation Schedule

- ☐ Project/Program Information & Unit Inventory Forms (previously known as Project/Program Monitoring Form. If relying on previously submitted 2007 monitoring and/or subsequent CTM update, also check here ☐ in lieu of submitting forms.)

Is the municipality providing an implementation schedule for this project/program.

- ☐ Yes. Skip to and complete implementation schedule found at the end of this checklist.
NOTE: The remainder of this checklist must be submitted in accordance with the implementations schedule.

☒ No. Continue with this checklist.

☒ Demonstration of site control or the ability to control the site, in the form of outright ownership, a contract of sale or an option to purchase the property

A general description of the site, including:

- ☒ Name and address of owner
- ☒ Subject property street location
- ☒ Subject property block(s) and lot(s)
- ☒ Subject property total acreage
- ☐ Indicate if urban center or workforce housing census tract *N/A*
- ☒ Description of previous zoning
- ☒ Current zoning and date current zoning was adopted
- ☒ Tax maps showing the location of site(s) with legible dimensions (electronic if available)

A description of the suitability of the site, including:

- ☒ Description of surrounding land uses
- ☒ Demonstration that the site has street access
- ☒ Planning Area and/or Special Resource Area designation(s) e.g., PA1, PA2, PA3, PA4, PA5, CAFRA, Pinelands, Highlands, Meadowlands, etc., including a discussion on consistency with the State Development and Redevelopment Plan (SDRP) and/or other applicable special resource area master plans
- ☒ Demonstration that there is or will be adequate water capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4
- ☒ Demonstration that there is or will be adequate sewer capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4

A description (including maps if applicable) of any anticipated impacts that result from the following environmental constraints:

The Site is unconstrained. →

- ☐ Wetlands and buffers
- ☐ Steep slopes
- ☐ Flood plain areas
- ☐ Stream classification and buffers
- ☐ Critical environmental site
- ☐ Historic or architecturally important site/district
- ☐ Contaminated site(s); proposed or designated brownfield site

- ☐ Based on the above, a quantification of buildable and non-buildable acreage
- ☐ RFP or Developer's Agreement *not in place*
- ☐ Construction schedule with a minimum provision to begin construction within two years of substantive certification; including timetable for each step in the development process
- ☐ Pro-forma statement for the project
- ☐ Demonstration that the first floor of all townhouse or other multi-story dwelling units are accessible and adaptable per N.J.A.C. 5:97-3.14
- ☐ Evidence of adequate and stable funding; including municipal bond and/or general revenue funds where applicable

Information and Documentation Required Prior to Marketing the Completed Units

- ☐ Resolution or executed contract designating an experienced Administrative Agent, and a statement of his/her qualifications, in accordance with N.J.A.C. 5:96-18
- ☐ Draft or adopted operating manual that includes a description of program procedures and administration or a statement indicating that the Administrative Agent designated to run the program uses a COAH-approved manual in accordance with UHAC
- ☐ An affirmative marketing plan in accordance with UHAC

**MUNICIPALLY SPONSORED AND 100 PERCENT AFFORDABLE DEVELOPMENTS
(N.J.A.C. 5:97-6.7)**

IMPLEMENTATION SCHEDULE

The implementation schedule sets forth a detailed timetable that demonstrates a "realistic opportunity" as defined under N.J.A.C. 5:97-1.4 and a timetable for the submittal of all information and documentation required by N.J.A.C. 5:97-6.

The timetable, information, and documentation requested below are required components of the implementation schedule.

Please note that all information and documentation requested below is required to be submitted to COAH no later than two years prior to the scheduled implementation of the mechanism. The fully completed checklist from above must be submitted at that time.

PROVIDE THE INFORMATION REQUESTED IN THE SECTIONS BELOW

(A) Development schedule, including, but not limited to, the following:

Development Process Action	Date Anticipated to Begin	Date Anticipated to be Completed	Date Supporting Documentation to be Submitted to COAH
Site Identification			

RFP Process			
Developer Selection			
Executed Agreement with provider, sponsor or developer			
Development Approvals			
Contractor Selection			
Building Permits			
Occupancy			

(B) Site specific information, including the following:

Site Information	Date Supporting Documentation to be Submitted to COAH
Site Description	
Site Suitability Description	
Environmental Constraints Statement	

(C) Financial documentation including, the following:

Financial Documentation	Date Anticipated to be Completed	Date Supporting Documentation to be Submitted to COAH
Documentation of Funding Sources		
Project Pro-forma		

Municipal resolution appropriating funds or a resolution of intent to bond in the event of a shortfall of funds		
---	--	--

100% or Municipally Sponsored Narrative Section

¹ Pursuant to PL 2008 c.46, Very Low-Income bonuses may only be granted for very low-income units that exceed 13 percent of the of the housing units made available for occupancy by low-income and moderate income households.

Draft Development Fee Ordinance

Little Egg Harbor Township

1. Purpose

- a) In Holmdel Builder's Association V. Holmdel Township, 121 N.J. 550 (1990), the New Jersey Supreme Court determined that mandatory development fees are authorized by the Fair Housing Act of 1985 (the Act), N.J.S.A. 52:27d-301 et seq., and the State Constitution, subject to the Council on Affordable Housing's (COAH's) adoption of rules.
- b) Pursuant to P.L.2008, c.46 section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), COAH is authorized to adopt and promulgate regulations necessary for the establishment, implementation, review, monitoring and enforcement of municipal affordable housing trust funds and corresponding spending plans. Municipalities that are under the jurisdiction of the Council or court of competent jurisdiction and have a COAH-approved spending plan may retain fees collected from non-residential development.
- c) This ordinance establishes standards for the collection, maintenance, and expenditure of development fees pursuant to COAH's regulations and in accordance P.L.2008, c.46, Sections 8 and 32-38. Fees collected pursuant to this ordinance shall be used for the sole purpose of providing low- and moderate-income housing. This ordinance shall be interpreted within the framework of COAH's rules on development fees, codified at N.J.A.C. 5:97-8.

2. Basic requirements

- a) This ordinance shall not be effective until approved by COAH pursuant to N.J.A.C. 5:96-5.1.
- b) Little Egg Harbor shall not spend development fees until COAH has approved a plan for spending such fees in conformance with N.J.A.C. 5:97-8.10 and N.J.A.C. 5:96-5.3.

3. Definitions

- a) The following terms, as used in this ordinance, shall have the following meanings:

- i. **"Affordable housing development"** means a development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100 percent affordable development.
- ii. **"COAH"** or the **"Council"** means the New Jersey Council on Affordable Housing established under the Act which has primary jurisdiction for the administration of housing obligations in accordance with sound regional planning consideration in the State.
- iii. **"Development fee"** means money paid by a developer for the improvement of property as permitted in N.J.A.C. 5:97-8.3.
- iv. **"Developer"** means the legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.
- v. **"Equalized assessed value"** means the assessed value of a property divided by the current average ratio of assessed to true value for the municipality in which the property is situated, as determined in accordance with sections 1, 5, and 6 of P.L.1973, c.123 (C.54:1-35a through C.54:1-35c).
- vi. **"Green building strategies"** means those strategies that minimize the impact of development on the environment, and enhance the health, safety and well-being of residents by producing durable, low-maintenance, resource-efficient housing while making optimum use of existing infrastructure and community services.

4. Residential Development fees

a) Imposed fees

- i. All developers of residential major subdivisions, except for developers of the types of development specifically exempted below, shall pay a fee of one percent (1%) of the equalized assessed value for residential development provided no increased density is permitted.
- ii. When an increase in residential density pursuant to N.J.S.A. 40:55D-70d(5) (known as a "d" variance) has been permitted, developers may be required to pay a development fee of six percent (6%) of the equalized assessed value for each additional unit that may be realized. However, if the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the base density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the variance application.

- b) Eligible exactions, ineligible exactions and exemptions for residential development
 - i. Affordable housing developments and developments where the developer has made a payment in lieu of on-site construction of affordable units shall be exempt from development fees.
 - ii. Developments that have received preliminary or final site plan approval prior to the adoption of a municipal development fee ordinance shall be exempt from development fees, unless the developer seeks a substantial change in the approval. Where a site plan approval does not apply, a zoning and/or building permit shall be synonymous with preliminary or final site plan approval for this purpose. The fee percentage shall be vested on the date that the building permit is issued.
 - iii. Development fees shall be imposed and collected when an existing structure undergoes a change to a more intense use, is demolished and replaced, or is expanded, if the expansion is not otherwise exempt from the development fee requirement. The development fee shall be calculated on the increase in the equalized assessed value of the improved structure.
 - iv. Developers of residential structures demolished and replaced as a result of a natural disaster shall be exempt from paying a development fee.

5. Non-residential Development fees

- a) Imposed fees
 - i. All non-residential developers, except for developers of the types of development specifically exempted, shall pay a fee equal to two and one-half (2.5) percent of the equalized assessed value of the land and improvements, for all new non-residential construction on an unimproved lot or lots.
 - ii. Non-residential developers, except for developers of the types of development specifically exempted, shall also pay a fee equal to two and one-half (2.5) percent of the increase in equalized assessed value resulting from any additions to existing structures to be used for non-residential purposes.
 - iii. Development fees shall be imposed and collected when an existing structure is demolished and replaced. The development fee of two and a half percent (2.5%) shall be calculated on the difference between the equalized assessed value of the pre-existing land and improvement and the equalized assessed value of the newly improved structure, i.e. land and improvement, at the time final certificate of occupancy is issued. If the calculation required under this

section results in a negative number, the non-residential development fee shall be zero.

- b) Eligible exactions, ineligible exactions and exemptions for non-residential development
 - i. The non-residential portion of a mixed-use inclusionary or market rate development shall be subject to the two and a half (2.5) percent development fee, unless otherwise exempted below.
 - ii. The 2.5 percent fee shall not apply to an increase in equalized assessed value resulting from alterations, change in use within existing footprint, reconstruction, renovations and repairs.
 - iii. Non-residential developments shall be exempt from the payment of non-residential development fees in accordance with the exemptions required pursuant to P.L.2008, c.46, as specified in the Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption" Form. Any exemption claimed by a developer shall be substantiated by that developer.
 - iv. A developer of a non-residential development exempted from the non-residential development fee pursuant to P.L.2008, c.46 shall be subject to it at such time the basis for the exemption no longer applies, and shall make the payment of the non-residential development fee, in that event, within three years after that event or after the issuance of the final certificate of occupancy of the non-residential development, whichever is later.
 - v. If a property which was exempted from the collection of a non-residential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this section within 45 days of the termination of the property tax exemption. Unpaid non-residential development fees under these circumstances may be enforceable by Little Egg Harbor as a lien against the real property of the owner.

6. Collection procedures

- a) Upon the granting of a preliminary, final or other applicable approval, for a development, the applicable approving authority shall direct its staff to notify the construction official responsible for the issuance of a building permit.
- b) For non-residential developments only, the developer shall also be provided with a copy of Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption" to be completed as per the instructions provided. The Developer of a non-residential development shall complete Form N-RDF as per the instructions provided. The construction official shall verify the information submitted by the non-residential developer as per the

instructions provided in the Form N-RDF. The Tax assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.

- c) The construction official responsible for the issuance of a building permit shall notify the local tax assessor of the issuance of the first building permit for a development which is subject to a development fee.
- d) Within 90 days of receipt of that notice, the municipal tax assessor, based on the plans filed, shall provide an estimate of the equalized assessed value of the development.
- e) The construction official responsible for the issuance of a final certificate of occupancy notifies the local assessor of any and all requests for the scheduling of a final inspection on property which is subject to a development fee.
- f) Within 10 business days of a request for the scheduling of a final inspection, the municipal assessor shall confirm or modify the previously estimated equalized assessed value of the improvements of the development; calculate the development fee; and thereafter notify the developer of the amount of the fee.
- g) Should Little Egg Harbor fail to determine or notify the developer of the amount of the development fee within 10 business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in subsection b. of section 37 of P.L.2008, c.46 (C.40:55D-8.6).
- h) Fifty percent of the development fee shall be collected at the time of issuance of the building permit. The remaining portion shall be collected at the issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at building permit and that determined at issuance of certificate of occupancy.
- i) Appeal of development fees
 - 1) A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review and determination by the Board, collected fees shall be placed in an interest bearing escrow account by Little Egg Harbor Appeals from a determination of the Board may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

- 2) A developer may challenge non-residential development fees imposed by filing a challenge with the Director of the Division of Taxation. Pending a review and determination by the Director, which shall be made within 45 days of receipt of the challenge, collected fees shall be placed in an interest bearing escrow account by Little Egg Harbor Appeals from a determination of the Director may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

7. Affordable Housing trust fund

- a) There is hereby created a separate, interest-bearing housing trust fund to be maintained by the Administrator for the purpose of depositing development fees collected from residential and non-residential developers and proceeds from the sale of units with extinguished controls.
- b) The following additional funds shall be deposited in the Affordable Housing Trust Fund and shall at all times be identifiable by source and amount:
 1. payments in lieu of on-site construction of affordable units;
 2. developer contributed funds to make ten percent (10%) of the adaptable entrances in a townhouse or other multistory attached development accessible;
 3. rental income from municipally operated units;
 4. repayments from affordable housing program loans;
 5. recapture funds;
 6. proceeds from the sale of affordable units; and
 7. any other funds collected in connection with [insert municipal name]'s affordable housing program.
- c) Within seven days from the opening of the trust fund account, Little Egg Harbor shall provide COAH with written authorization, in the form of a three-party escrow agreement between the municipality, the bank and COAH to permit COAH to direct the disbursement of the funds as provided for in N.J.A.C. 5:97-8.13(b).
- d) All interest accrued in the housing trust fund shall only be used on eligible affordable housing activities approved by COAH.

8 Use of funds

- a) The expenditure of all funds shall conform to a spending plan approved by COAH. Funds deposited in the housing trust fund may be used for any activity approved by COAH to address Little Egg Harbor's fair share obligation and may be set up as a grant or revolving loan program. Such activities include, but are not

limited to: preservation or purchase of housing for the purpose of maintaining or implementing affordability controls, rehabilitation, new construction of affordable housing units and related costs, accessory apartment, market to affordable, or regional housing partnership programs, conversion of existing non-residential buildings to create new affordable units, green building strategies designed to be cost saving and in accordance with accepted national or state standards, purchase of land for affordable housing, improvement of land to be used for affordable housing, extensions or improvements of roads and infrastructure to affordable housing sites, financial assistance designed to increase affordability, administration necessary for implementation of the Housing Element and Fair Share Plan, or any other activity as permitted pursuant to N.J.A.C. 5:97-8.7 through 8.9 and specified in the approved spending plan.

- b) Funds shall not be expended to reimburse Little Egg Harbor for past housing activities.
- c) At least 30 percent of all development fees collected and interest earned shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in the municipal Fair Share Plan. One-third of the affordability assistance portion of development fees collected shall be used to provide affordability assistance to those households earning 30 percent or less of median income by region.
 - i. Affordability assistance programs may include down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowners association or condominium fees and special assessments, and assistance with emergency repairs.
 - ii. Affordability assistance to households earning 30 percent or less of median income may include buying down the cost of low or moderate income units in the municipal Fair Share Plan to make them affordable to households earning 30 percent or less of median income. The use of development fees in this manner may entitle Little Egg Harbor to bonus credits pursuant to N.J.A.C. 5:97-3.7.
 - iii. Payments in lieu of constructing affordable units on site and funds from the sale of units with extinguished controls shall be exempt from the affordability assistance requirement.
- d) Little Egg Harbor may contract with a private or public entity to administer any part of its Housing Element and Fair Share Plan, including the requirement for affordability assistance, in accordance with N.J.A.C. 5:96-18.
- e) No more than 20 percent of all revenues collected from development fees, may be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultant fees necessary to develop or implement a new

construction program, a Housing Element and Fair Share Plan, and/or an affirmative marketing program. In the case of a rehabilitation program, no more than 20 percent of the revenues collected from development fees shall be expended for such administrative expenses. Administrative funds may be used for income qualification of households, monitoring the turnover of sale and rental units, and compliance with COAH's monitoring requirements. Legal or other fees related to litigation opposing affordable housing sites or objecting to the Council's regulations and/or action are not eligible uses of the affordable housing trust fund.

9. Monitoring

- a) Little Egg Harbor shall complete and return to COAH all monitoring forms included in monitoring requirements related to the collection of development fees from residential and non-residential developers, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, barrier free escrow funds, rental income, repayments from affordable housing program loans, and any other funds collected in connection with Little Egg Harbor's housing program, as well as to the expenditure of revenues and implementation of the plan certified by COAH. All monitoring reports shall be completed on forms designed by COAH.

10. Ongoing collection of fees

- a) The ability for Little Egg Harbor to impose, collect and expend development fees shall expire with its substantive certification unless Little Egg Harbor has filed an adopted Housing Element and Fair Share Plan with COAH, has petitioned for substantive certification, and has received COAH's approval of its development fee ordinance. If Little Egg Harbor fails to renew its ability to impose and collect development fees prior to the expiration of substantive certification it may be subject to forfeiture of any or all funds remaining within its municipal trust fund. Any funds so forfeited shall be deposited into the "New Jersey Affordable Housing Trust Fund" established pursuant to section 20 of P.L.1985, c.222 (C.52:27D-320). Little Egg Harbor shall not impose a residential development fee on a development that receives preliminary or final site plan approval after the expiration of its substantive certification or judgment of compliance, nor shall Little Egg Harbor retroactively impose a development fee on such a development. Little Egg Harbor shall not expend development fees after the expiration of its substantive certification or judgment of compliance.

DRAFT SPENDING PLAN

INTRODUCTION

The Township of Little Egg Harbor adopted a Development Fee Ordinance. The ordinance, however, requires amendment due to the recent amendment of the Fair Housing Act. The draft amendment is attached at the end of this spending plan. This spending plan has been prepared in accordance with COAH's current rules.

As of November 18, 2008, the Township of Little Egg Harbor has a balance of **\$287,677.18** in its Affordable Housing Trust Fund. All development fees and interest generated by the fees are deposited in a separate interest-bearing account in Sun Bank for the purposes of affordable housing.

1. PROJECTION OF REVENUES FOR CERTIFICATION PERIOD

To calculate a projection of revenue anticipated between September 15, 2008 and December 31, 2018, the amount of funds collected for 2007 were utilized.

- (a) Residential development fees that were collected in 2007 yielded \$6,250.
- (b) Non-residential development fees that were collected in 2007 yielded \$115,248.
- (c) Total yields per year are therefore estimated at \$121,498 per year.

SOURCE OF FUNDS	FUNDS ANTICIPATED (in \$)									
	(YEAR)									
	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Developer's Fees Revenues	\$121,500	\$121,500	\$121,500	\$121,500	\$121,500	\$121,500	\$121,500	\$121,500	\$121,500	\$121,500

The Township of Little Egg Harbor projects a total of \$1,215,000 in revenue to be collected based on 2007 past revenues.

2. DESCRIPTION OF ANTICIPATED USE OF DEVELOPMENT FEES

- (a) New construction programs and projects (N.J.A.C. 5:97-8.7)

The Township intends to make available by loan or grant funds for new affordable housing construction that satisfies the Township's obligation under the current guidelines. The amount available for each project will be calculated based upon the proportionate amount of affordable credits from the proposed development to the Township's affordable housing needs. A developer's agreement and deed restriction will be required to ensure proper use of funding.

- (b) Affordability Assistance (N.J.A.C. 5:97-8.8)

Projected minimum affordability assistance requirement:

Actual development fees through 7/17/2008		\$
Actual interest earned through 7/17/2008	+	\$
Development fees projected* 2008-2018	+	\$ 1,215,000

Interest projected* 2008-2018	+	\$ 31,000
Less housing activity expenditures through 6/2/2008	-	\$ -0-
Total	=	\$ 1,246,000
30 percent requirement	x 0.30 =	\$ 373,800
Less Affordability assistance expenditures through 12/31/2004	-	\$ -0-
PROJECTED MINIMUM Affordability Assistance Requirement 1/1/2005 through 12/31/2018	=	\$ 373,800
PROJECTED MINIMUM Very Low-Income Affordability Assistance Requirement 1/1/2005 through 12/31/2018	÷ 3 =	\$ 124,600

* Note: The 2008 portion of this projection reflects 2008 subsequent to July 17 as the remainder of 2008 is included in the actual figure reported above.

Little Egg Harbor Township will dedicate \$373,800 from the affordable housing trust fund to render units more affordable, including \$124,600 to render units more affordable to households earning 30 percent or less of median income by region, as follows:

a. Down-payment assistance \$124,600

(c) **Administrative Expenses (N.J.A.C. 5:97-8.9)**

Little Egg Harbor Township projects that \$249,200 will be available from the affordable housing trust fund to be used for administrative purposes. Projected administrative expenditures, subject to the 20 percent cap, are as follows:

Development of Third Round Compliance	
Planning	\$ 12,500
Legal	\$ 12,500
Contracting and Negotiation with Prospective Providers Of Affordable Housing	
Planning	\$ 10,200
Legal	\$ 30,000
Funding of Affordable Housing Liaison	\$80,000
Funding of Administrative Agent	\$70,000
Advertising and Marketing	\$ 34,000

3. UNEXPECTED SHORTFALL OF FUNDS

Pursuant to the Housing Element and Fair Share Plan, the governing body of Little Egg Harbor Township has adopted a resolution agreeing to fund any shortfall of funds required for implementing affordability assistance. In the event that a shortfall of anticipated revenues occurs, Little Egg Harbor Township will appropriate funds as appropriate at the time that the need arises.

In the event of excess funds, any remaining funds above the amount necessary to satisfy the municipal affordable housing obligation will be used for down payment assistance programs.

4. BARRIER FREE ESCROW

Collection and distribution of barrier free funds shall be consistent with Little Egg Harbor Township's Affordable Housing Ordinance in accordance with N.J.A.C. 5:97-8.5.

SUMMARY

Little Egg Harbor Township intends to spend affordable housing trust fund revenues pursuant to N.J.A.C. 5:97-8.7 through 8.9 and consistent with the housing programs outlined in the housing element and fair share plan dated *[insert date]*.

Little Egg Harbor Township has a balance of \$287,677 as of November 18, 2008 and anticipates an additional \$1,215,000 in revenues before the expiration of substantive certification for a total of \$1,502,677. The municipality will dedicate \$373,800 to render units more affordable, and \$124,600 to administrative costs. The Township intends to make available by loan or grant funds for new affordable housing construction that satisfies the Township's obligation under the current guidelines. The amount available for each project will be calculated based upon the proportionate amount of affordable credits from the proposed development to the Township's affordable housing needs. Any shortfall of funds will be offset by unanticipated revenues and funding by the Township as it deems appropriate at the time. The municipality will dedicate any excess funds toward down payment assistance.